

January 7, 1975

added as a cosponsor of Senate Resolution 48 urging continuing efforts on behalf of the missing-in-action in Southeast Asia.

**SENATE RESOLUTION 66—ORIGINAL RESOLUTION REPORTED AUTHORIZING ADDITIONAL EXPENDITURES BY THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS**

(Referred to the Committee on Rules and Administration.)

Mr. RANDOLPH (for Mr. JACKSON), from the Committee on Interior and Insular Affairs, reporting the following resolution:

S. RES. 66

*Resolved*, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Interior and Insular Affairs, or any subcommittee thereof, is authorized from March 1, 1975, through February 29, 1976, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency, and (4) to consent to the assignment of personnel of other committees of the Senate to assist in carrying out the purposes of section 3 of this resolution. Travel and other expenses, other than salary, of any personnel from other committees assigned to the committee pursuant to this paragraph for the purposes of section 3 of this resolution may be paid under this resolution.

SEC. 2. The expenses of the committee under this resolution shall not exceed \$817,000, of which amount (1) not to exceed \$35,000 shall be available for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(1) of the Legislative Reorganization Act of 1946, as amended).

SEC. 3. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

**SENATE RESOLUTION 67—A RESOLUTION CONCERNING THE SAFETY AND FREEDOM OF VALENTYN MOROZ, UKRAINIAN HISTORIAN**

(Referred to the Committee on Foreign Relations.)

Mr. GRIFFIN (for Mr. TAFT (for himself, Mr. BEALL, Mr. BUCKLEY, Mr. GRIFFIN, Mr. HUMPHREY, Mr. MATHIAS, Mr. RIBICOFF, Mr. HUGH SCOTT, Mr. WEICKER, and Mr. WILLIAMS)) submitted the following resolution:

S. RES. 67

Whereas Valentyn Moroz, historian, writer, and spokesman for the cultural integrity of the Ukrainian people, is currently imprisoned in the Soviet Union on the charges of anti-Soviet agitation and propaganda; and

Whereas such charges are without basis as in his valiant attempts to preserve and defend the rights of the Ukrainian people and the culture of the Ukraine and to defend the principle of basic human rights, Valentyn Moroz has done no more than exercise rights granted him by the Constitution of the United Soviet Socialist Republics: Now, therefore, be it

*Resolved*, That the Senate requests the President to express the concern of the United States Government for the safety and freedom of Valentyn Moroz, historian, writer, and spokesman for the cultural integrity of the Ukrainian people.

SEC. 2. The Secretary of the Senate shall transmit copies of this Resolution to the President and the Secretary of State.

Mr. GRIFFIN. Mr. President, on August 22, 1974, the distinguished Senator from Ohio (Mr. TAFT) introduced Senate Resolution 392, which requested the President to express the concern of our Government for the safety and freedom of Mr. Valentyn Moroz. It will be recalled that Mr. Moroz is a Ukrainian historian and writer who has been imprisoned in the Soviet Union on charges of anti-Soviet agitation and propaganda.

Although I have been, and continue to be, a strong supporter of the ideals of détente with the Soviet Union, I have been disturbed by reports concerning Mr. Moroz' treatment in prison. Last year I joined with the distinguished Senator from Ohio in cosponsoring Senate Resolution 392 but, unfortunately, the Congress adjourned without considering it.

Because he is unable to be here today, Senator TAFT has asked me to reintroduce his resolution. Accordingly, I do so on his behalf and on behalf of eight of our colleagues.

I ask unanimous consent that a statement prepared by Senator TAFT be printed at this point in the Record.

The PRESIDING OFFICER. Without objection it is so ordered.

**STATEMENT OF SENATOR TAFT**

Mr. President, as I noted during the last session when I introduced this resolution regarding the great Ukrainian writer and historian, Mr. Valentyn Moroz:

I have long supported the administration's policy of improving our relations with the Soviet Union. But I have also believed that we cannot, as a price for improved relations, be silent about Soviet abuses of basic human rights. The resolution I introduce now is concerned with such an abuse: The imprisonment of Mr. Valentyn Moroz.

Today, Mr. Moroz languishes in prison, serving a 14-year term for "anti-Soviet agitation and propaganda." He thus joins a distinguished group of Soviet writers and intellectuals who have felt the weight of Soviet oppression for their defense of basic human rights. The conditions of his imprisonment are such as to raise grave questions about his physical and mental well-being.

Mr. Moroz, a defender of human rights, is the most noted and uncompromising spokesman within the Soviet Union for the rights of the Ukrainian people and for the maintenance of the Ukrainian culture and national heritage. The Ukrainian culture and national history is independent of that of the Russian people. It is a long and distinguished history, and Ukrainian culture ranks among the great national world cultures. But the Ukrainians have always had to struggle against the politically dominant Russians for the maintenance of the Ukrainian tradition. Under the Soviet Government, the campaign to eradicate the Ukrainian national heritage—and the heritage of other national groups within the Soviet Union—has been prolonged and intense. It continues today. And no one has been more valiant in his efforts to oppose this unjust campaign than Valentyn Moroz.

I ask my colleagues to join me in expressing our humanitarian concern for Mr. Moroz, for the conditions of his imprisonment and for his freedom. In his attempts to defend

the culture of the Ukraine, Mr. Moroz has done no more than exercise the basic human rights guaranteed to him by the Soviet constitution. There can be no justification for depriving him of his liberty for exercising these rights. I sincerely hope that the Senate will approve this resolution, and that President Ford will express our concern on this matter to the Soviet Government in the strongest possible terms.

Today, Mr. Moroz's situation remains uncertain. He has apparently ended the hunger strike he began to protest his terrible prison conditions, but we do not know if those conditions have materially improved. Accordingly, I believe it is once again appropriate to ask my colleagues to join me in expressing our concern for this gallant defender of human rights. I am pleased that my distinguished colleagues, Mr. Beall, Mr. Buckley, Mr. Griffin, Mr. Humphrey, Mr. Mathias, Mr. Ribicoff, Mr. Scott of Pennsylvania, Mr. Weicker, and Mr. Williams have joined as cosponsors of this resolution.

**SENATE RESOLUTION 68—A RESOLUTION ESTABLISHING A PROCEDURE FOR REQUIRING AMENDMENTS TO BILLS AND RESOLUTIONS TO BE GERMANE**

(Referred to the Committee on Rules and Administration.)

Mr. PASTORE (for himself, Mr. BENTSEN, Mr. BROCK, Mr. BROOKE, Mr. BURDICK, Mr. DOMENICI, Mr. PELL, Mr. RANDOLPH, and Mr. SYMINGTON) submitted the following resolution:

S. RES. 68

*Resolved*, That rule XVIII of the Standing Rules of the Senate is amended—

(1) by inserting after "QUESTION" in the caption a semicolon and the following: "GERMANENESS";

(2) by inserting "1." before "If"; and

(3) by adding at the end thereof the following new paragraph: "2. (a) At any time during the consideration of a bill or resolution it shall be in order to move that no amendment which is not germane or relevant to the subject matter of the bill or resolution, or to the subject matter of an amendment proposed by the committee which reported the bill or resolution, shall thereafter be in order. Such a motion shall be highly privileged and shall be decided without debate.

"(b) If a motion made under subparagraph (a) is agreed to by an affirmative vote of two-thirds of the Senators present and voting, then an amendment thereafter proposed (except amendments proposed by the committee which reported such bill or resolution) which is not germane or relevant to the subject matter of such bill or resolution, or to the subject matter of an amendment proposed by the committee which reported such bill or resolution, shall not be in order. A motion to reconsider the vote by which such motion was so agreed to or was not so agreed to shall not be in order, and, if such motion was not so agreed to, it shall not be in order to make a second motion under subparagraph (a) with respect to such bill or resolution.

"(c) When a motion made under subparagraph (a) has been agreed to as provided in subparagraph (b) with respect to a bill or resolution, points of order with respect to questions of germaneness or relevancy of amendments shall be decided without debate, except that the Presiding Officer may, prior to ruling on any such point of order, entertain such debate as he considers necessary in order to determine how he shall rule on such point of order. Appeals from the decision of the Presiding Officer on such points of order shall be decided without debate.



|  |              |
|--|--------------|
| Cut in Individual Rates-----           | \$16.50      |
| Credit for Home Insulation-----        | .50          |
| <b>Subtotal Revenue Disbursed-----</b> | <b>28.70</b> |

|  |              |
|--|--------------|
| One Time Economic Stimulus<br>(Ford Proposal):                     |              |
| Individual Tax Cut of 12% geared<br>to low income individuals----- | 12.00        |
| Raise Investment Tax Credit to<br>12%-----                         | 4.00         |
| <b>Total Revenue Disbursed-----</b>                                | <b>44.70</b> |

|   |              |
|---|--------------|
| <b>1976 CALENDAR YEAR</b>                   |              |
| Revenue Raising Measures:                   |              |
| Gasoline Tax of 30¢ a gallon-----           | *25.80       |
| Luxury Taxes on Alcohol and<br>Tobacco----- | 5.80         |
| Energy Related Tax Reforms-----             | 3.78         |
| General Tax Reforms-----                    | .85          |
| <b>Total Revenue Raised-----</b>            | <b>36.23</b> |

|  |              |
|--|--------------|
| Revenue Disbursing Measures:                       |              |
| Individual Gasoline Tax Rebate<br>(400 gals.)----- | 12.00        |
| Increased Business Tax Deductions-----             | 3.87         |
| Cut in Individual Rates-----                       | 16.50        |
| Credit for Home Insulation-----                    | .50          |
| Raise Investment Tax to 10%-----                   | 2.00         |
| Raise Base for Small Business Tax<br>Rate-----     | 2.50         |
| <b>Total Revenue Disbursed-----</b>                | <b>37.37</b> |

\*Presume a cut in gasoline consumption of 10% (7,000 barrels a day) at 20¢ a gallon and of 14% (one million barrels a day) at 30¢.

#### 1977 AND FUTURE CALENDAR YEARS

Package will be in fiscal balance as of calendar 1978, at which time revenues from phasing out the oil depletion allowance will be \$417 million higher than in 1976 and the tax credit for home insulation will be terminated. By calendar 1980, the oil depletion allowance phase out will be raising another \$1.1 billion above 1978 revenues.

#### SUMMARY OF BILLS INTRODUCED BY SENATOR PERCY

##### Rebatable gasoline tax

Provides for a new fuel conservation tax on gasoline with rebates to consumers for essential driving. The tax would be 20 cents a gallon in 1975 and would increase to 30 cents a gallon on January 1, 1976. Revenue raised would be paid into the general fund of the Treasury. An annual tax credit for essential driving would be provided on the first 450 gallons of gasoline purchased by an individual in the first year, and the first 400 gallons purchased in subsequent years. A driver could receive a tax credit of up to \$90 in the first year (30 cents times up to 450 gallons used) and up to \$120 in subsequent years (30 cents times up to 400 gallons). The credit is obtained by filing a Federal income tax return, whether or not a driver has any income tax liability.

##### Auto efficiency tax incentive program

Establishes an automobile efficiency tax incentive program by taxing new car purchases on the basis of gasoline mileage. Based on an initial fuel economy standard of between 15 and 17 miles-per-gallon, which is the average gas mileage range for 1975 model cars, a new car purchaser would be subject to a tax or payment depending on fuel efficiency. A purchaser of a new car that delivers more than 17 miles-per-gallon would receive a payment from the Federal Treasury (on a sliding scale, up to \$300 for a car that gives 23 miles-per-gallon or more. Conversely, a purchaser of a new car that delivers 15 miles-per-gallon or less would pay a tax that starts at \$200 and increases in steps to a maximum of \$1,000 on a car that delivers 9 miles per gallon or less. The scale for taxes and payments would increase by 2 miles-per-gallon every two years

until 1983, when the standard for fuel economy would reach the range of 23 to 25 miles-per-gallon. This program would be a strong incentive for consumers to purchase and manufacturers to produce more fuel efficient cars.

##### Abolition of the highway trust fund

Abolishes the Highway Trust Fund and makes the billions of dollars collected annually from the Federal gas tax available to help finance various types of transportation or other national needs. A trust fund designed for highway construction is anachronistic in our present economic condition. It has discouraged the development of other modes of transportation which are far more energy-efficient than cars. The fund now has a balance of \$8 billion, but work has either been completed or is underway on 99 percent of the nation's 42,500 mile Interstate Highway System.

##### Repeal of deductibility of State and local gas taxes

Repeals the Federal income tax deduction now allowed for state and local gasoline taxes, retroactive to January 1, 1975. This deduction is a Federal subsidy on gasoline sales. National policy now emphasizes fuel conservation. The subsidy works against that policy. Moreover, the income tax deduction for state and local gasoline taxes, like other deductions, benefits only those taxpayers whose incomes are high enough to warrant itemized deductions. Those taxpayers are the ones least in need of selective tax benefits. Also, this deduction deprives the Federal Treasury of about \$600 million annually.

##### Increased luxury taxes

Increases tax on alcohol by 50% and increases tax on tobacco by 100%. These taxes, which have not been increased in over 20 years, are levied on the producer. The current tax on alcohol varies with alcoholic content: from 17¢ per gallon for spirits that are less than 14% alcohol by volume to \$10.50 per gallon for spirits that are 50% alcohol by volume. The current tax on tobacco varies with type and size. The tax on small cigarettes is \$4.00 per thousand, the tax on large cigarettes is \$8.40 per thousand. The current tax on small cigars is 75¢ per thousand and the tax on large cigars is from \$2.50 to \$20.00 per thousand depending on retail price.

##### Reduce "small business" tax rate

Increases the base on which the normal corporate tax is levied from \$25,000 to \$100,000. Under current law, a tax of 22 percent is levied on the first \$25,000 of corporate income and a tax of 48 percent is levied on all income above \$25,000. Small businesses have been particularly hard hit by inflation, and, because of the nature of their business, are generally less able to take advantage of increases in the investment tax credit. This measure will be of primary benefit to small corporations.

##### Dye heating fuel oil

Requires that number 1 and number 2 heating fuel oil be colored with an oil soluble dye to deter tax fraud. Under existing law, diesel fuel is taxed at the rate of 12¢ per gallon (4¢ federal and 8¢ state).

An extensive black market has developed in which untaxed heating oil is substituted for taxable diesel fuel. It has been estimated that up to \$500 million in Federal revenues are lost every year because of this fraud. A similar program was instituted in Canada in 1973 and resulted in a 58.5% increase in revenues in the first year of operation.

#### ADDITIONAL COSPONSORS OF BILLS AND RESOLUTIONS

S. 63

At the request of Mr. BEALL, the Senator from South Carolina (Mr. THUR-

MOND) was added as a cosponsor of S. 63, a bill to amend the Internal Revenue Code of 1954 to provide an exemption from income taxation for certain income of condominium housing associations, homeowner associations, and cooperative housing corporations.

S. 275

At the request of Mr. STEVENS, the Senator from Alaska (Mr. GRAVEL) was added as a cosponsor of S. 275, a bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence.

S. 319 AND S. 320

At the request of Mr. TALMADGE, the Senator from Oregon (Mr. HATFIELD), and the Senator from Iowa (Mr. CULVER) were added as cosponsors of S. 319, a bill to provide a priority system for certain agricultural uses of natural gas; and S. 320, a bill to provide natural gas for essential agricultural purposes.

S. 445

At the request of Mr. HUGH SCOTT, the Senator from Alaska (Mr. GRAVEL) was added as a cosponsor of S. 445, a bill to assure that an individual or family, whose income is increased by reason of a general increase in monthly social security benefits, will not, because of such general increase, suffer a loss of or reduction in the benefits the individuals or family has been receiving under certain Federal or federally assisted programs.

S. 472

At the request of Mr. JAVITS, the Senator from Nevada (Mr. CANNON) was added as a cosponsor to S. 472, the Full Employment and Job Development Act of 1975.

S. 489

At the request of Mr. ABOUREZK, the Senator from South Dakota (Mr. McGOVERN) was added as a cosponsor of the bill (S. 489) to amend the Clayton Act to preserve and promote competition among corporations in the production of oil, natural gas, coal, oil shale, uranium, geothermal steam, and solar energy.

S. 564

At the request of Mr. HUGH SCOTT, the Senator from Pennsylvania (Mr. SCHWEIKER) was added as a cosponsor of S. 564, a bill to provide public financing of primary and general elections for the Senate and House of Representatives.

#### SENATE RESOLUTION 12

At the request of Mr. ROTH, the Senator from Massachusetts (Mr. BROOKS) was added as a cosponsor of Senate Resolution 12, amending the standing rules of the Senate providing for open meetings of conference committees.

#### SENATE RESOLUTION 20

At the request of Mr. KENNEDY, the Senator from South Dakota (Mr. ABOUREZK) and the Senator from Connecticut (Mr. RIBICOFF) were added as cosponsors of Senate Resolution 20, relating to the Vladivostok agreement and strategic arms control.

#### SENATE RESOLUTION 48

At the request of Mr. SPARKMAN, the Senator from Delaware (Mr. BIDEN) was



"(d) The provisions of this paragraph shall not apply to amendments subject to the rules of germaneness and relevancy contained in paragraph 4 of rule XVI and paragraph 2 of rule XXII."

Mr. PASTORE. Mr. President, 1 year ago the Senator from Texas and I submitted a resolution amending the standing rules of the Senate in an attempt to expedite the business of the Senate.

We were concerned that it has become the rule rather than the exception that our sessions run from January through December and yet our work still remains unfinished.

We decided that much of the trouble lies with the matter of germaneness. We have no intention of circumscribing in any way the right of debate, but we feel that nongermane floor amendments which, in many instances, take days and weeks to consider and yet are brushed aside in a matter of moments in conference could somehow be handled in a more judicious manner.

The purpose of this resolution is to make it possible to prohibit the introduction of nongermane amendments only and if two-thirds of those present and voting so decide. This motion would be nondebatable and nonrenewable whether decided one way or the other.

If the Senate, by two-thirds vote of those present and voting, decided that no nongermane amendments would be in order, thereafter no nongermane amendments could be offered for the remainder of the consideration of the pending business.

On the other hand, if such motion failed, then nongermane amendments would be in order for the remainder of the pending business.

Neither the Senator from Texas nor myself are wedded to this particular plan and we would hope that the Rules Committee, to which in all probability this resolution will be referred, will give this matter serious consideration.

If a better way is found to expedite the business of the Senate, the Senator from Texas and I will be only too glad to support it.

But there can be no question that our duties have become more complex, that our work has become more burdensome, especially in these troubled times, and some way has to be found which will make the legislation process more effective.

Mr. BENTSEN. Mr. President, I am pleased to join with the distinguished senior Senator from Rhode Island (Mr. PASTORE) as a joint sponsor of a Senate resolution which would establish a new Senate rule for germaneness of amendments.

The Senator from Rhode Island and I discussed this amendment during the closing weeks of the first session of the 93d Congress when nongermane amendments were often delaying the consideration of important legislative initiatives. The Senator from Rhode Island, as we all know, has been concerned with the question of germaneness for some time. The Senate rule of debate during the first 3 hours of legislative business bears his name and he has given the Senate consistent leadership on matters of procedure and debate.

I am honored, therefore, to jointly sponsor with the senior Senator from Rhode Island a Senate resolution which would allow the Senate to prohibit nongermane amendments by a two-thirds vote. The resolution would not restrict any Senator's right to debate a motion but would merely allow a two-thirds majority of the Senate to prohibit amendments that are not germane to the pending business.

Too often, Mr. President, we in the Senate find ourselves embroiled in issues to quote Shakespeare, "full of sound and fury and signifying nothing." We heatedly debate nongermane amendments delaying the Senate for days, and then find these amendments summarily dismissed in conference because of the rules and attitude of the other body concerning nongermane amendments. Perhaps there will be times when the Senate will want to debate a nongermane amendment simply to expose an issue or to stimulate interest in a particular problem, and this rule will not prevent those debates from taking place.

But when the overwhelming majority of Senators feels that an issue should be dealt with quickly—nongermane amendments could be prohibited and the pending business could be given the Senate's full, undivided attention.

The motion to restrict nongermane amendments could be offered at any time during the consideration of a bill. The motion would not be debatable and could not be offered more than once to a particular bill or resolution. If two-thirds of the Senate were to agree, then all amendments would have to be germane according to the decision of the Chair.

I believe this is a fair proposal but I would be happy to consider any other suggestions for dealing with this issue that Senators might have to offer. I hope that the Rules Committee will hold hearings on this proposal and that some device can be found that will speed up our consideration of important measures and make the legislative process more efficient.

#### SENATE RESOLUTION 69—A RESOLUTION DISAPPROVING THE PROPOSED DEFERRAL OF BUDGET AUTHORITY

(Referred to the Committee on Appropriations, the Committee on the Budget, and the Committee on Public Works.)

Mr. RANDOLPH (for himself, Mr. MUSKIE, Mr. BENTSEN, Mr. BURDICK, Mr. CANNON, Mr. GRAVEL, Mr. MAGNUSON, Mr. MONTROYA, Mr. MOSS, Mr. WILLIAMS, Mr. ROBERT C. BYRD, and Mr. CULVER) submitted the following resolution:

S. RES. 69

*Resolved*, That the Senate disapproves the proposed deferral of budget authority for Federal-aid highways, which deferral (D75-17) was set forth in a special message transmitted by the President to the Congress on September 20, 1974, under Section 1013 of the Impoundment Control Act of 1974.

Mr. RANDOLPH. Mr. President, while Americans debate the most effective means of reversing the economic recession, the Federal Government has at its disposal the ability to create thousands of jobs in a relatively short time.

Because our national economy continues to decline and demands urgent attention, I introduce today a resolution overruling the Presidential deferral of \$10.7 billion in Federal-aid highway funds.

This is the second such resolution being submitted today. The other would revoke the impoundment of \$5 billion for the construction of municipal waste treatment facilities.

Mr. President, throughout my public career I have seen the ability of public works construction to produce employment at the same time it produces useful public facilities. Improved highways are needed in all parts of the country and can be built with income-producing jobs.

The Federal Highway Administration has computed that each billion dollars invested in highways produced 151,040 jobs. These include jobs directly involved in roadbuilding, plus those with suppliers and in communities that are generated as a result of the construction. It is immediately apparent, therefore, what potential lies in the impounded funds.

I fully recognize that there are many unanswered questions concerning highway funding and the ability to put the money to work with a minimum of delay. The Committee on Public Works has scheduled a hearing for February 27 to review the budget request of the Federal Highway Administration for fiscal year 1976. This hearing is being conducted as part of our responsibility under the Congressional Budget Act. It is my intention to utilize the hearing also to consider the resolution I submit today and the issues it raises.

Mr. President, I believe, however, that there is sufficient information presently available to warrant proposing at this time the rejection of the Presidential deferral of Federal-aid highway funds.

In addition to the tangible benefits resulting from roadbuilding, our positive action on this resolution and the one freeing water pollution control funds would be the long-awaited sign to the American people that the Congress is moving to reverse the deterioration of the economy.

I have received information indicating that more than \$2 billion in highway work could be placed under contract by the end of June, in addition to the \$2.3 billion already programmed for that period. This could create well over 300,000 jobs—or even more if the money is concentrated in projects that have a higher labor usage than the average.

With the release of additional highway money, there are many types of projects which can be started with little delay. I envision that such quick-start work could take place in areas such as road reconstruction, bridge work and safety improvements.

Part of the ability to accelerate the highway program lies in the fact that the roadbuilding industry is now operating at slightly less than 50 percent of its capacity. The shortages of materials that hampered construction programs a year ago have eased considerably so that there would be few delays for this reason.

The deferral message sent to the Con-



gress by President Ford impounds a total of \$10.7 billion. This amount includes all of the authorized highway money for fiscal year 1976, or about \$6.4 billion. A substantial portion of this is programed for release on July 1 to finance the program during the next year. Of more concern to us now is the remaining \$4.3 billion in impounded funds which were authorized for fiscal year 1975 and prior years. Passage of the resolution I introduce today would release all of this money much of which could be placed to good use in the near future.

Mr. President, the distribution of impounded highway money is not uniform throughout the country. Some States which have been able to move ahead have relatively little in the total impoundment. Others, mainly those in which expensive Interstate projects have been delayed, have hundreds of millions of dollars charged to them. So that Members will know the situation for their States I have prepared a table showing a State-by-State breakdown of impounded highway money. This does not include funds apportioned for fiscal year 1976 or approximately \$500 million in impounded funds that are not apportioned to the States on a formula basis. I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

|                |                 |
|----------------|-----------------|
| Alabama        | \$12,711,043.38 |
| Alaska         | 2,210,709.23    |
| Arizona        | 60,317,207.29   |
| Arkansas       | 12,583,517.38   |
| California     | 62,697,364.89   |
| Colorado       | 41,666,729.04   |
| Connecticut    | 204,207,162.32  |
| Delaware       | 13,486,752.31   |
| Florida        | 34,250,095.81   |
| Georgia        | 55,964,961.00   |
| Hawaii         | 92,457,909.98   |
| Idaho          | 15,505,096.46   |
| Illinois       | 309,502,604.73  |
| Indiana        | 54,145,092.29   |
| Iowa           | 53,857,094.65   |
| Kansas         | 32,874,664.66   |
| Kentucky       | 2,079,825.74    |
| Louisiana      | 69,359,641.12   |
| Maine          | 17,595,696.74   |
| Maryland       | 284,058,324.15  |
| Massachusetts  | 263,931,267.69  |
| Michigan       | 79,999,916.71   |
| Minnesota      | 68,287,604.61   |
| Mississippi    | 29,443,730.13   |
| Missouri       | 19,730,951.16   |
| Montana        | 61,345,754.41   |
| Nebraska       | 30,229,874.15   |
| Nevada         | 1,760,275.06    |
| New Hampshire  | 17,337,068.58   |
| New Jersey     | 182,284,708.24  |
| New Mexico     | 12,430,134.22   |
| New York       | 499,725,227.35  |
| North Carolina | 59,425,918.16   |
| North Dakota   | 20,492,853.93   |
| Ohio           | 173,777,222.18  |
| Oklahoma       | 28,599,176.18   |
| Oregon         | 86,243,017.28   |
| Pennsylvania   | 139,757,393.52  |
| Rhode Island   | 47,918,102.12   |
| South Carolina | 10,734,959.97   |
| South Dakota   | 20,473,284.43   |
| Tennessee      | 43,406,804.47   |
| Texas          | 79,048,123.29   |
| Utah           | 39,701,717.05   |
| Vermont        | 703,010.96      |
| Virginia       | 19,802,397.74   |
| Washington     | 63,887,005.76   |
| West Virginia  | 28,049,056.24   |
| Wisconsin      | 49,289,096.17   |

|                      |                  |
|----------------------|------------------|
| Wyoming              | \$30,709,016.37  |
| District of Columbia | 197,943,257.10   |
| Puerto Rico          | 19,188,421.29    |
| Total                | 3,777,333,517.07 |

Mr. RANDOLPH. Mr. President, the Committee on Public Works will develop new highway legislation this year. In it we hope to chart the direction of the Federal-aid program in the years ahead. There is an immediate need, however, to stimulate our economy. The American people expect action from the Congress, and the adoption by the Senate of this resolution would be our affirmative response.

#### SENATE RESOLUTION 70—A RESOLUTION DISAPPROVING THE PROPOSED DEFERRAL OF BUDGET AUTHORITY

(Referred to the Committee on Appropriations, the Committee on the Budget, and the Committee on Public Works.)

Mr. MUSKIE (for himself, Mr. RANDOLPH, Mr. BURDICK, Mr. CANNON, Mr. GRAVEL, Mr. MAGNUSON, Mr. MONTANA, Mr. MOSS, Mr. WILLIAMS, Mr. ROBERT C. BYRD, Mr. CULVER, and Mr. GARY W. HART) submitted the following resolution:

#### S. RES. 70

*Resolved*, That the Senate disapproves the proposed deferral of budget authority for Water Program Operations Construction Grants, which deferral (D75-9) was set forth in the special message transmitted by the President to the Congress on September 20, 1974, under Section 1013 of the Impoundment Control Act of 1974.

Mr. MUSKIE. Mr. President, in deferral No. D75-9, dated September 20, 1974, President Ford proposed to defer the obligation of \$9 billion in clean water funds—a major part of the program to restore America's once beautiful lakes and streams.

The Congress authorized \$18 billion for the fiscal years 1973-1975 under title II of the Water Pollution Control Act Amendments of 1972 to provide grants for the construction of municipal waste water treatment works. When we wrote the law in 1972, the cost of accomplishing this objective was estimated to be \$35 billion. Current estimates of the minimum facilities needs are in excess of \$60 billion. The Environmental Protection Agency is authorized by the act to allot the funds to the States in accordance with a formula based on the "needs" for such facilities. Grants are then made to municipalities for the construction of the waste treatment facilities. The Federal share of these construction projects is set at 75 percent.

The Congress authorized \$18 billion for the program in 1972. However, only \$9 billion had been allocated for fiscal years 1973, 1974, 1975.

On January 24, 1975, the President authorized release of \$4 billion of the total, leaving \$5 billion in deferral status. This \$5 billion could be putting Americans to work; \$5 billion to give Americans the quality environment they have asked for; \$5 billion to stimulate sagging construction industry; \$5 billion for a meaningful, productive program.

This deferral should be immediately disapproved by the Senate; I am today introducing the necessary resolution and ask for early Senate action.

While this withholding of funds to fight inflation was occurring the economy started a downward turn. A recessionary cycle began. High unemployment has developed as a result of the downturn in our economy. Unemployment in December was 7.1 percent which means that nearly 6 million workers are currently out of work. A large part of this unemployment—1½ percent—is in the construction industry. This means that approximately 900,000 workers or 15 percent of construction employment is currently out of work. Mr. President, if the administration had not impounded these waste water treatment construction funds, many projects would be under way now which could be providing employment for construction workers.

Russell Train, Administrator of the Environmental Protection Agency, in recent testimony before the Environmental Pollution Subcommittee of the Senate Public Works Committee said,

We estimate that the program provided over 40,000 on-site jobs and more than that number of off-site jobs last fiscal year (1974).

This figure represents jobs on only those projects which are actually under construction and is not nearly reflective of what the obligation of the entire \$18 billion—\$13 billion presently available for allotment and \$5 billion currently deferred—could accomplish. It is estimated by the Bureau of Labor Statistics that each \$1 billion of contract construction for waste treatment plants creates 22,000 on-site jobs. This, allotment and obligation of the \$14 billion available would create 310,000 on-site new construction jobs and nearly double that number for off-site jobs and jobs in other industries.

Mr. President, almost a quarter of a million Americans could be employed in worthwhile jobs—jobs helping to meet an important national objective. Americans want clean water—they have amply demonstrated it in countless local elections throughout the last several years. They want meaningful employment—make-work jobs should only be the very last resort. Release of these impounded funds provides both opportunities.

The impact of impoundment was characterized in a recent GAO report which stated:

The President's impoundment could seriously hamper achieving the goal of eliminating discharge of pollutants into navigable waters by 1985 once administrative and legislative requirements are met.

This deferral must therefore be disapproved for two reasons:

First. Delay in funding seriously hampers the national goal of elimination of discharge of pollutants into navigable waters by 1985 and,

Second. Job opportunities are unnecessarily curtailed in a period of rising unemployment.

While the Supreme Court considers the legality of Presidential impoundments, we must move now to release these funds under the authority of section 1013(b) of



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litigation which may arise from an adopted rule.

Legislative review of administrative decisions has precedents in Congress, several of the States, and in other countries. From 1948 to 1973, all executive reorganization plans were required to be reviewed by Congress with either House authorized to disapprove within a certain period of time. The Budget and Impoundment Control Act of 1974 established similar procedures for proposed budget adjustments by the President. Five States have established required procedures for legislative review of and action on administrative regulations. In Great Britain statutes delegating power to make regulations of general applicability have usually required regulations to be laid before Parliament for negative or affirmative action. The more widely used negative action provides that if within a stated period either House resolves that the regulation be annulled, it shall have no effect. Similar requirements exist in Australia, Canada, and New Zealand law.

My bill would not destroy the administrative process; it will make it more responsive. It does not substitute congressional decision for administrative decision; it assures that those few administrative rules which clearly go beyond congressional contemplation are never inflicted on the public.

Most employees of the Government try to do a good and conscientious job and they indeed do so. We need their services and we respect them for it. But, those officials who are overzealous and think that they—not Congress—make the laws need to know that there is the eye of Congress looking over their shoulder and, which, when necessary, will spot the excesses so that Congress can remedy them.

The judicial process is not the way to solve the problem because that process is not available in all instances due to excessive cost, and is cumbersome and does not get to the heart of the problem itself. Traditional legislative oversight and repeal legislation is not the answer. That is *ex post facto* and not suited to dealing with routine rulemaking excess. Therefore, I propose to let Congress at least have the opportunity in advance of disapproving of rules which it believes exceed the original congressional intent and which could subject citizens to criminal punishment.

This bill does not commend itself solely to those who call themselves "liberals" or solely to those who call themselves "conservatives." It commends itself to those who are concerned about the place and plight of an individual in the face of a vast and sometimes unresponsive bureaucracy. It commends itself to those who believe that the basic principles of Magna Carta, the Declaration of Independence, the Constitution and its accompanying Bill of Rights are still valid—that no person should be deprived of liberty or property without someone elected by and answerable to the citizen being involved in the adoption of a decree that can place him in jail or impose a fine upon him.

This bill is not the final answer to administrative and bureaucratic problems. It is a first step that needs to be taken. I shall, in the future, propose other legislation dealing with the administrative process to make it more responsive, more open, more accessible, swifter—which is frequently a problem when needed regulation is unduly delayed and snarled in a game of legal technicalities—and more consistent with the needs of a modern society founded on enduring principles of freedom, democracy, and republican government.

#### ELIMINATION OF CHAUFFEUR-DRIVEN LIMOUSINES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. HAMILTON) is recognized for 10 minutes.

Mr. HAMILTON. Mr. Speaker, I am introducing legislation today to eliminate the unnecessary and possibly illegal annual expenditure of taxpayers' money for the chauffeur-driven limousines used by about 770 lower-level Government officials in the Washington area.

My bill, which is identical to one being introduced by Senator PROXMIRE, would reduce the number of persons assigned these limousines to about 27: The President, the Vice President, the head of each executive department, the Chief Justice of the United States, the Speaker of the House of Representatives, the President pro tempore of the Senate, the majority and minority leaders of both Houses, the majority and minority whips of both Houses, and the U.S. Representative to the United Nations.

Federal law already explicitly limits the use of these vehicles to the President of the United States, his cabinet members, and principal diplomatic, and consular officials. Yet, by virtue of an all too liberal interpretation of the law by the executive agencies, some 800 persons ride to and from their jobs daily in Government-owned cars driven by Government-paid chauffeurs. The cost to the taxpayer, in drivers' salaries alone, is about \$13 million.

These are hard times. The President has called on us all to make sacrifices in a time of national difficulty. I agree with the President that sacrifices are necessary, as I agree with the President that unnecessary Government expenditures must be eliminated. These cars certainly fall in that category.

An expenditure for such a purpose is never justifiable; in these times it is just plain onerous. We are faced today with a depressed economy and an energy shortage. The American people are being asked to endure hardships and suffer deprivations they have not seen since World War II. How can we make such demands of the public if the sacrifices stop at the Government's own door? Government should be out front, pointing the way. But not in a chauffeured limousine.

In early 1973, I began the slow, painful process of extracting information about these chauffeured cars from one

executive department, the Department of Defense. What I learned was that the DOD furnishes too many cars to too many persons and at too great expense to the American taxpayer.

At present, the DOD figure is 44 chauffeured cars. When I began my investigation, it was 52. As I read the law, it should be no more than four: the Secretary of Defense and the Secretaries of the Army, Navy, and Air Force. The average annual cost per car, including chauffeur salaries and overtime, is more than \$14,000. The average annual busfare should be less than \$500. The cost to the taxpayer to provide these 44 persons with a free ride to work will be more than \$635,000 this year. Although DOD has slightly reduced the cost from the 1973 high of \$676,000 by shifting to smaller cars, that clearly is not enough.

The Honorable James R. Schlesinger, on assuming the duties of Secretary of Defense in July of 1973, made these remarks:

We must be prepared to accept adjustment and change. There are luxuries that we shall have to do without.

I am in complete agreement with the Secretary's remarks, and I would apply them to the entire Federal Government. These chauffeur-driven cars are one of the luxuries we ought to do without.

I urge prompt and affirmative action on this bill.

#### DISAPPROVAL OF DEFERRAL OF FUNDS FOR MARINE-RELATED PROGRAMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. AUCOIN) is recognized for 15 minutes.

Mr. AUCOIN. Mr. Speaker, at a time when the specter of famine haunts so many areas of the world, and when hundreds of millions of people at home and abroad are looking to the sea as a potential source of food to supplement their diets, I find it alarming that the administration has proposed a deferral of funds which would give important assistance to the development of our ocean resources. Instead, this Nation should be doing all it can to increase our food-producing capability.

Yesterday, I introduced a resolution to disapprove the administration's proposed deferral of budgetary authority for operations, research, and facilities of the National Oceanic and Atmospheric Administration for fiscal year 1975. I am particularly concerned about the administration's deferral of \$600,000 in grant-in-aid funding under the Anadromous Fish Conservation Act and the Commercial Fisheries Research and Development Act, as well as the deferral of \$1,034,000 for the sea grant program. These programs, Mr. Speaker, are of great significance to the Nation's long-run ability to harvest the sea.

There are many examples of what these programs mean, Mr. Speaker, but let me use Oregon as an illustration. It serves as an excellent example. Oregon's portion of the \$600,000 grant-in-aid funding has been used in this way:



Becker ran for mayor, he reported large amounts of "anonymous" contributions.

Furthermore, he employed Wyatt's own public relations man in the 1973 election campaign, which was the most lavish and vicious municipal election campaign in many years—perhaps unprecedented in San Antonio's history. A good part of the Becker campaign was run out of a committee headed by Jim Dement, a large San Antonio builder. In recent times, Dement himself appears to have had some connections with Wyatt's business empire. Some say that Dement has received construction financing through Wyatt-dominated institutions.

Whatever Wyatt's reason for tapping Becker was, and whatever Becker's reason for taking up Wyatt's fight, the point is that if Wyatt was going to save his pipeline business in Texas, he had to break his contracts. He used every resource at his command—influence in the legislature, and influence and pressures on the San Antonio City Council. These efforts of Wyatt's were certainly helped along by unreported campaign contributions, and by his numerous business connections of one kind or another. The web of influence Wyatt cast over the city did not cause the city public service board to break its contract, however, and Coastal faced the hard reality of having to choose between honoring its contracts and losing massive amounts of money in the process, or letting its customers go short.

A few months after Wyatt's desperate bid to break the San Antonio contract, Coastal started a vicious curtailment program in San Antonio. The city had little or no warning of what was about to happen, and had less than a 10 day supply of fuel oil to run its generating plants with. San Antonio came to the brink of utter catastrophe.

All of this demonstrated very well that Oscar Wyatt did not intend to lose any money, contract or no contract. He aimed to bring San Antonio to its knees, by fair means or foul. When he could not buy the legislature or frighten his customers into compliance with his demands, he coldly and cynically decided to drive them to the very brink of disaster. A colder heart cannot be found than Oscar Wyatt's. His decisions and actions in retrospect look like those of a master criminal. Who suffers? Not Wyatt, except in the sense that his ego is hurt by adverse publicity. Only his customers are hurt—because they thought that Wyatt would live up to a contract that one and all, including his own attorney, said was ironclad—containing no "escape clauses" of any kind. Oscar Wyatt does not know the meaning of integrity or honesty.

#### STATEMENT ON THE BILL TO ESTABLISH THE ADMINISTRATIVE RULEMAKING CONTROL ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. LEVITAS) is recognized for 5 minutes.

Mr. LEVITAS. Mr. Speaker, today I am introducing a bill which would control Federal agency rulemaking.

Embodied in the principles of Magna Carta, the Declaration of Independence, the Constitution of the United States, and its Bill of Rights is a basic concept that government must be by consent of the governed and that due process of law is essential. Would any average citizen seriously argue that a person should be deprived of liberty or property under decrees which no elected official has participated in promulgating? Yet, today the fact is that vastly more rules are made by the decree of an unelected bureaucracy than by the elected Members of Congress. Last year alone approximately 6,400 administrative rules were adopted by 67 Federal agencies, departments, and bureaus. In most instances, a consequence of violating these administrative rules is imprisonment or fine or both.

One only has to glance at the daily Federal Register to realize that Federal agencies have evolved into a fourth branch of Government with hosts of regulations that carry the force of law without benefit of legislative consideration. While it may be true that Congress has previously given—or abandoned—to the bureaucracy the power to enact these administrative laws, that does not itself justify continuing this practice. There is definitely a need to have administrative rulemaking to fill in the detailed gaps between the broad principles embodied in acts of Congress, but this does not mean that Congress should leave it to civil servants or appointed officials to pass thousands upon thousands of far-reaching laws that can put citizens in jeopardy of liberty or property without having anyone elected by the people or answerable to them involved in the process.

As the size and reach of the Federal bureaucracy has grown, the need to re-examine its force and power has come upon us. Curbs on administrative legislation, which may have not been needed in years gone by, may be needed today. We have too many examples of administrative excess and zeal, going far beyond any congressional intent. Congress now has the responsibility of facing up to a reexamination of the necessity of congressional control over the administrative process.

When an act of Congress contains the pithy section which reads something like this:

The Secretary shall have the power to promulgate regulations to carry out the purposes of this act . . .

Then the citizen is at his peril. Congress has passed the buck, and the citizen must deal with people unaccountable to him and frequently unresponsive to him. Congress has done this far too often, and thereby has opened Pandora's box of administrative rules.

A "lawmaking" process follows upon these words quoted above, which process never again permits the Congress effectively to determine whether its intent has been followed.

After going through a series of procedures and hearings—all by civil serv-

ants or appointed officials—a rule comes forth. To test the validity of that rule, a citizen must go to court, or, at his peril, face prosecution. The standards adopted by the judiciary for review of administrative rules are lax indeed, are rarely effective and never go into the issues of policy contained therein.

The frustrations of going through the administrative process; the feeling that no one listens or cares; and the practical inability of an individual to face up to the faceless bureaucracy is all part of the scene—a scene that needs changing to make the rules and the bureaucracy more responsive to Congress and ultimately, thereby, to the people.

Under my proposal, whenever an administrative rule is adopted by an agency under procedures of the Administrative Procedure Act—section 553 of title V, United States Code—and a violation of the rule could result in a criminal sanction, then either House of Congress would have 30 days in which to pass a resolution disapproving of the adopted regulation. Passing of such a resolution by either House will have the effect of preventing the regulation from becoming operative.

My proposal will provide for an expedited procedure for bringing the resolution to the floor of the House or the Senate. Modeled after the procedures for consideration of rescission and deferral messages from the President, it would allow prompt and efficient consideration and action by either body.

The procedure for consideration initially requires that all affected rules be placed before both Houses for a period of 30 days. If within this period of time a Member of either body introduces a resolution disapproving the specific rule, the resolution can be voted on, or can be referred to a committee, in which latter event an additional 30 days is allowed for consideration and action by the particular House. A majority vote would be needed in order to refer the resolution to an appropriate committee which would then have a specified time to report its recommendations back to the House. A majority vote to adopt the resolution would nullify the proposed rule.

The full procedure provided by this legislation—which would be entitled "the Administrative Rulemaking Control Act"—would not, in most, or even in many, cases have to be followed to its end nor require that the numerous rules promulgated by the bureaucracy would have to be individually considered by Congress. Most rules are not controversial, and most others will clearly be consistent with congressional purposes and will not, therefore, be challenged. Still others which are challenged will be summarily dealt with and accepted, or infrequently, summarily rejected. Only a few will require close scrutiny by Congress, and in those instances they certainly deserve such scrutiny.

Finally, my proposal provides that if Congress fails to adopt a negative resolution, such inaction will not be deemed to be an expression of approval; thus, avoiding interference with any future



**S. 181, A BILL PROMOTING PUBLIC CONFIDENCE IN ALL BRANCHES OF THE GOVERNMENT**

Mr. CASE. Mr. President, today I would like to make additional comments about S. 181, a bill to promote public confidence in the legislative, executive, and judicial branches of the Government of the United States.

On behalf of Mr. HART of Michigan, Mr. WEICKER, and myself, I introduced this bill on January 16, 1975. Since that date 20 Senators have joined as cosponsors. They are:

Senators Dick Clark of Iowa, Jacob K. Javits of New York, Richard Stone of Florida, Mike Mansfield of Montana, Patrick Leahy of Vermont, William D. Hathaway of Maine, Gary Hart of Colorado, William Proxmire of Wisconsin, Alan Cranston of California, Hugh Scott of Pennsylvania, Adlai Stevenson of Illinois, Bob Packwood of Oregon, Frank E. Moss of Utah, Frank Church of Idaho, Lawton Chiles of Florida, Quentin Burdick of North Dakota, Mark Hatfield of Oregon, James Abourezk of South Dakota, Pete Domenici of New Mexico, and Charles McC. Mathias of Maryland.

S. 181 would require full public disclosure of personal financial interests by the President, the Vice President, Members of Congress, and the judiciary.

In addition, Federal employees earning more than \$25,000 a year and all candidates for Federal offices would be covered by this bill.

And this does bring up two questions. I have been asked how many persons S. 181 would affect and would it not bring forth another of those great showers of paper—so much so that it might be necessary to build a building in which to store disclosure records.

By rough calculations S. 181—if it were to become public law today—would affect more than 100,000 persons.

Now about the great shower of paper that these people might generate in disclosing their personal finances, I can only say that I think most of us can give a full accounting in less than two typed pages. I know that I can.

While I am not expert in modern storage techniques, what I know about newspaper filing suggests to me that our financial records can be put on microfilm and made readily available without causing a great space crisis.

Our yearly records would be modest in comparison to a year's editions of the New York Times which the Library of Congress tells me occupies only about half of a drawer in a microfilm storage cabinet. In fact, the Library of Congress has the Times back to 1851 on microfilm and this fills only 50 storage drawers.

While I am glad to be able to answer these questions, because they indicate to me that we are seriously thinking about disclosure legislation, I want to return for a few minutes to the theory behind the bill.

As I have said before disclosure is preventive. If a person knows that his finances will be subjected to public scrutiny, he will "stop and think" before taking an action that involves a possible conflict of public and private interests.

Second, disclosure is a way of getting the facts on the table so that the press

and the public can make their own judgments.

Third, disclosure will strengthen the election process by providing citizens with the additional facts that they need to more fully assess candidates—both newcomers and incumbents.

We have been close to getting this legislation passed before.

In fact, a bill very similar to S. 181 was approved by the Senate during the 93d Congress. I hope that we will see S. 181 passed and signed into law in the 94th Congress.

**PRESIDENT FORD PROPOSES "ANTI" CHILD FOOD ASSISTANCE ACT TO CONGRESS**

Mr. HUMPHREY. Mr. President, in his fiscal year 1976 budget message to the Congress, President Ford has proposed that the following federally financed child nutrition programs be eliminated:

First. The national school lunch program, as operated since 1946;

Second. The school breakfast program;

Third. The special milk program;

Fourth. The special food service program for children; and

Fifth. The special food supplement program for women, infants, and children—WIC.

Also, included in these program eliminations is the termination of year around nonschool feeding programs, such as day care, food assistance, and the summer child feeding programs.

The President's fiscal year 1976 budget further calls for complete elimination of USDA-donated foods for institutions, such as mental institutions, hospitals, and other institutions providing special care for adults.

The President's proposed Child Food Assistance Act of 1975 calls for the elimination of the above-mentioned school and child nutrition programs and would replace them with a single "block grant" program to the States. Furthermore, the \$2.3 billion now estimated for all of these child nutrition programs in fiscal year 1976, would be reduced to about \$1.7 billion under the President's block grant program. Also, under the President's program, the block grants provided States would be restricted entirely to financing school and child feeding programs for children whose family incomes are below the poverty level. This, of course, means the Federal financial assistance for school lunches now purchased by those children who families have incomes above the poverty level would be completely terminated. It is estimated that this alone would probably result in 7 to 10 million paying students dropping out of the school lunch program.

In addition, in my judgment, the President's proposal would further—not lessen—economic segregation and discrimination in our Nation's schools.

And it is for these reasons, Mr. President, why Mr. Ford's program deserves the title of the "anti" Child Food Assistance Act of 1975.

While I am the first to admit that our Nation's school and child nutrition pro-

grams need improvement, the President's proposal does not provide for such improvement. The President's proposal not only constitutes a major threat to the nearly 30 years of general progress we have made in these national child nutrition programs, but it even poses a threat to the nutritional standards now established for poor children. Under the President's proposal, each State could set its nutritional standards, with a maximum not to exceed one-third of a child's recommended daily allowance—RDA. Existing standards under the National School Lunch and Child Nutrition Acts provide that one-fourth of a child's RDA be met through the school breakfast program and one-third be met through the school lunch.

Mr. President, I do not know who is advising Mr. Ford regarding these matters, but I suggest he get some new advisers, and stop wasting the time of Congress with such a ridiculous, ill conceived, absurd proposal.

I wish to serve notice on President Ford here and now that he is in for a fight if he chooses to press for passage of his "anti" Child Food Assistance Act of 1975. And HUBERT HUMPHREY will be in the forefront of that fight.

I also wish to serve notice that I intend to again press for consideration of my universal School Lunch and Child Nutrition Act this session of Congress. If President Ford wants to streamline some of these programs, he can do so by joining with me in urging prompt enactment of my universal program.

Mr. President, I wish to share with my Senate colleagues an analysis of President Ford's "anti" Child Food Assistance Act of 1975, recently conducted by the American School Food Service Association. I ask unanimous consent that this analysis be printed at the RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

**ASFSA POSITION ON THE PROPOSED REPEAL OF EXISTING CHILD NUTRITION LEGISLATION**

**STATEMENT OF THE PROPOSAL**

President Gerald Ford proposes legislation that would repeal and supercede all existing child nutrition legislation and substitute a single consolidated block grant program. The proposal would provide subsidies only for poverty children which would eliminate financial assistance to all other children including those now eligible for reduced price meals. The proposal specifically eliminates the National School Lunch Program as operated since 1946, the Breakfast Program, the Special Milk Program, the Special Food Service Program for Children and the Nutrition Program for Women, Infants and Children (WIC).

Even the program for poverty children would be cut back. The nutritional standards currently specify that ¼ of the child's Recommended Daily Allowance (RDA) will be met by the breakfast program and ½ of the child's Recommended Daily Allowance will be supplied by the school lunch. The new legislation will provide a maximum of ½ of the poverty child's Recommended Daily Allowance. Minimum nutritional standards will be eliminated and states will be free to set their own standards if any.

**ASFSA POSITION**

It is the position of the American School Food Service Association that there are strong



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is designed to reduce wasteful energy use, create jobs, and lessen economic hardships. Let me just list them. The first measure would establish mandatory thermal (heating and cooling) efficiency standards for all new homes and commercial buildings. It is anticipated that this program will save the equivalent of 500,000 barrels of oil per day in 1985. The Secretary of Housing and Urban Development in consultation with engineering, architectural, consumer, labor and industry representatives would be responsible for developing thermal efficiency standards. Standards for residential dwellings would be promulgated and implemented within one year, and performance standards for commercial and other residential buildings developed and implemented as soon thereafter as practicable. State and local governments would assume primary responsibility for enforcing standards through local building codes.

The second measure would establish within the Federal Energy Administration, a grant program for States to assist low-income persons, particularly the elderly, in winterizing their homes. This is modeled after a successful pilot project that was conducted in the State of Maine during 1974. Annual appropriations of \$55 million would be authorized to fund the three year grant program, and enable States to purchase winterization materials for dwellings of low-income persons.

The last measure would authorize the President to require energy efficiency labels on all new major appliances and motor vehicles. This program would insure that consumers are fully apprised of the efficiency of various appliances and motor vehicles and would encourage the manufacture and greater utilization of more efficient products.

While these are noteworthy and positive proposals, I do not believe they are an adequate conservation program. But it is a start.

Since there is now a convergency of Congressional and Executive opinion, I would guess that some form of energy conservation incentives in buildings and industry will soon be enacted in law. The fifteen percent tax credit for energy conserving investment in homes proposed by the President, is like previous legislative, though I and many others would favor a much larger credit or long-term, low interest loans to provide stronger incentives. A law requiring vehicles and appliances to be labeled for energy use is likely, and it will have the important side effect of requiring standardized energy consumption tests which will help future public and legislative judgment on energy use regulation. Some sort of mandatory energy efficiency standards for buildings and industry are likely too, though the industry standards, especially, may be slow in appearing because of the need to develop standards where experience is very scant. If the President fails to persuade the Congress to delay implementation of the Clean Air Act, as I fervently hope, we will probably enact mandatory auto efficiency standards. Many in Congress feel as I do that there is no excuse to trade public health for industry acceptance of a simple and easily attainable performance standard on automobiles, such as 20-mile per gallon fuel efficiency. I think we will feel it our duty to make this standard mandatory without compromising the responsibility of the industry to do its best to minimize air pollution.

A weight or fuel efficiency tax might also be enacted to shift consumers toward less wasteful vehicles. I would expect also a variety of directed studies about energy conservation in various sectors, but most importantly, I hope that we will mandate serious and practical revision of the tax and regulatory codes, and utility rate regulation, to promote energy efficiency and recycling.

The Senate was considerably more bold than the House last session in passing energy conservation legislation. However, as I am sure you've read, there has been a virtual revolution in the attitudes and alignment of power in the House, with the arrival of 91 new Congressmen. Many of these new Members arrived with strongly environmentally protective views. The attitude changes are pronounced in both the House Interstate and Foreign Commerce Committee, which handles much regulatory legislation, and in the Ways and Means Committee, responsible for tax initiatives. I think the roadblocks against taking many sound steps toward energy conservation have been removed.

But what are the constraints I have mentioned? Some are familiar. Congress is a committee of more than 500 Members. The President can change tariffs by a stroke of the pen—but any major policy initiated by Congress must hinge on extensive negotiations between dozens of strong-minded individuals and committees. Of course, Congress can often rely on the easier task of simply agreeing to, or slightly modifying, executive proposals. But rightly or wrongly, it is a simple fact that while the Congress was developing the many conservation policy initiatives I listed, the executive was considering energy conservation as a matter of purely voluntary actions like remembering to turn off lights. There was no apparent conception that energy conservation represents an investment decision, and can only be pursued in the right regulatory and tax climate—and that, in fact, past policies systematically discouraged conservation and needed to be dramatically changed if "voluntary measures" were ever to make sense. So the initiatives had to come from the 500-Member committee, and progress was slow. Congress can never be a rapid initiator of new policy, of course, but with the new composition I mentioned above, and at least a two-year head start on seriously facing this problem, I expect the Congress will be much more than an analyzing body for executive policy this term.

There are other, deeply rooted constraints, which are shared by both the Executive and Legislative Branches. First is the struggle to strike a balance between the need for policy and action, and the reluctance to apply coercive pressures to aspects of individual or commercial "lifestyle." This has surfaced, of course, in the argument over "mandatory" or "voluntary" conservation steps. It also is involved in debates over whether or not federal policies should be able to override state or local regulations. I am very sensitive to the argument that we must not move to federal coercion under the banner of conserving energy. But some of the warnings sounded in the past seem silly to me. The Executive Branch has been talking for months of "voluntary" appliance energy labeling. But what is voluntary about a system agreed upon by a few major manufacturers, especially if you happen to be a small company hoping to enter the market? Asking energy conservation steps of some builders or manufacturers in terms of "voluntary cooperation," and then not providing any assurance that the investment will be matched by competitors, is simply unfair. We must avoid coercion, and we must be aware that enthusiasm for energy conservation may blind us to coercive tendencies in proposed steps—but we also must be aware of all the existing promotional and coercive tendencies in government and commerce that have promoted waste. We have a long way to go in eliminating these.

Another deeply-rooted problem is our total inability to organize long-range planning on a rational level. I think state and local governments have been far more effective in this area. I have emphasized that energy conservation is an investment strategy—as much

a part of our energy supply plans as nuclear power or oil shale development. The pay-offs and trade-offs between the various investments will come in twenty, thirty or more years from now. And yet Presidents and Congressmen measure their success or failure in terms of two, four, six, or eight years. And, in neither Branch, is too much planning desired, for fear it will "limit future options"—usually political options. A potential example of our weakness is the popular feeling running against installation of electrical heating. We all know some version of the efficiency figures for resistance heating vs. oil or gas furnaces.

It seems logical to eliminate resistance heating—but what if there is no gas or oil? If, in thirty years, our only energy sources will be central generating stations, should we be starting a trend away from the heating systems which can make use of them? No one can count on the answer because we have no "plan" which indicates any commitment either way. As the problems get tougher, and longer in time scale for solution, the lack of future planning becomes more and more tragic and looks more and more like a crude political expedient in both the Congress and Executive. In Congress we have established an Office of Technology Assessment to project the long-term effects of various policy options. The Office of Technology Assessment has just begun a major energy assessment, which I will be intimately involved with through my appointment to the Technology Assessment Board and my service on the Science and Technology Committee in the House.

A last constraint I want to mention is our traditional blindness to the effects of economic dislocations caused by federal policy changes. It is much easier to promote a new industry than to provide for an orderly dismantling of an old one. It is no wonder labor and industrial organizations sometimes oppose moves that seem very socially desirable—they've learned too often that the laws promoting a change in industrial emphasis usually leave out any sections providing for retraining and relocation assistance for workers and businesses displaced. We've got to get over the idea that our nation is so rich that anyone can simply establish a productive new life to substitute for the one just eliminated. We in Congress must begin to consider the expenses and harm of social relocation as part of every legislative step we take. Instead of slowing social change we might find, surprisingly, that this attention will speed it up—because it will eliminate much of the fear associated with novelty.

As I said at the beginning, I listed these constraints as a way of emphasizing the monumentally important role people like yourselves must play in guiding us through the energy crisis years. New ideas must come from meetings like these—you can be sure that it is proposed by the President or Congress it's an idea that surfaced long ago. And Congress can't execute any plans—we may create a loose regulatory framework, but for the technical matters of building and designing we must depend on those in the field—and those in the state and local governments who are usually closer to the field problems than we are.

So, I conclude by asking this: think, with us in the Congress, about the complexity of the energy problem we are facing. Help us by mobilizing as a group—organizing all the professional experience and imagination you can muster to advance conservation strategies in building. You understand these best. Let us know what framework you need for your efforts in turning this society toward an ethic which emphasizes quality, endurance and compatibility with the beauty of the earth. You can be sure I will fight with all my energy to provide you with the support you need for the job that only you can do.



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|              |               |               |
|--------------|---------------|---------------|
| Roe          | Spellman      | Vigorito      |
| Rogers       | Stanton,      | Wampler       |
| Rooney       | J. William    | Weaver        |
| Rose         | Stanton,      | Whalen        |
| Rosenthal    | James V.      | White         |
| Roush        | Stark         | Whitehurst    |
| Roybal       | Steed         | Whitten       |
| Ruppe        | Steelman      | Wiggins       |
| Russo        | Steiger, Wis. | Wilson, Bob   |
| Santini      | Stokes        | Wilson,       |
| Sarasin      | Stratton      | Charles H.,   |
| Sarbanes     | Stuckey       | Calif.        |
| Scheuer      | Studds        | Wilson,       |
| Schroeder    | Sullivan      | Charles, Tex. |
| Schulze      | Symington     | Winn          |
| Seiberling   | Talcott       | Wirth         |
| Sharp        | Taylor, N.C.  | Wolf          |
| Shipley      | Thone         | Wright        |
| Shriver      | Thornton      | Wylder        |
| Sikes        | Traxler       | Yates         |
| Simon        | Teongas       | Yatron        |
| Sisk         | Udall         | Young, Ga.    |
| Slack        | Ullman        | Young, Tex.   |
| Smith, Iowa  | Vander Jagt   | Zablocki      |
| Smith, Nebr. | Vander Veen   | Zeferetti     |
| Solarz       | Vanik         |               |

## NAYS—75

|                |                 |                |
|----------------|-----------------|----------------|
| Abdnor         | Goodling        | Mathis         |
| Archer         | Grassley        | Milford        |
| Ashbrook       | Haley           | Miller, Ohio   |
| Bauman         | Hammer-         | Montgomery     |
| Beard, Tenn.   | schmidt         | Moore          |
| Bennett        | Hansen          | Nichols        |
| Bevill         | Harsha          | Pickie         |
| Brinkley       | Hechler, W. Va. | Quillen        |
| Brown, Ohio    | Holland         | Robinson       |
| Broyhill       | Holt            | Rousselot      |
| Byron          | Hungate         | Runnels        |
| Clancy         | Hutchinson      | Satterfield    |
| Clawson, Del   | Jarman          | Schneebell     |
| Cochran        | Johnson, Colo.  | Sebelius       |
| Collins, Tex.  | Jones, Tenn.    | Shuster        |
| Crane          | Kemp            | Skubitz        |
| Daniel, Dan    | Ketchum         | Snyder         |
| Daniel, Robert | Kindness        | Spence         |
| W., Jr.        | Krueger         | Steiger, Ariz. |
| Davis          | Landrum         | Stephens       |
| Derriek        | Latta           | Symms          |
| Devine         | Lott            | Treen          |
| Dickinson      | McCollister     | Waggonner      |
| Gaydos         | McDonald        | Wylie          |
| Gibbons        | Mann            | Young, Alaska  |
| Ginn           | Martin          |                |

## NOT VOTING—49

|                |           |              |
|----------------|-----------|--------------|
| Abzug          | Fenwick   | Moss         |
| Alexander      | Findley   | Murphy, Ill. |
| Annuizio       | Flynt     | Murtha       |
| Barrett        | Fountain  | Nowak        |
| Bell           | Fraser    | Roncalio     |
| Boggs          | Hagedorn  | Rostenkowski |
| Broomfield     | Howard    | Ryan         |
| Brown, Mich.   | Ichord    | St Germain   |
| Burke, Fla.    | Jenrette  | Staggers     |
| Burleson, Tex. | Kelly     | Taylor, Mo.  |
| Butler         | Leggett   | Teague       |
| Chappell       | McCloskey | Thompson     |
| Collins, Ill.  | Metcalfe  | Van Deerlin  |
| Conlan         | Mills     | Walsh        |
| Cotter         | Minish    | Waxman       |
| Esch           | Moorhead, | Young, Fla.  |
| Eshleman       | Calif.    |              |

So the joint resolution was passed.  
The Clerk announced the following pairs:

Mr. Annunzio with Mr. Jenrette.  
Ms. Abzug with Mr. Nowak.  
Mr. Thompson with Mr. Ichord.  
Mr. Rostenkowski with Mr. Ryan.  
Mrs. Boggs with Mr. Burleson of Texas.  
Mr. Barrett with Mr. Taylor of Missouri.  
Mr. Flynt with Mr. Esch.  
Mr. Fraser with Mr. Conlan.  
Mr. Howard with Mr. Kelly.  
Mr. Roncalio with Mr. Broomfield.  
Mr. St Germain with Mr. Butler.  
Mr. Teague with Mr. Eshleman.  
Mr. Alexander with Mr. Bell.  
Mr. Chappell with Mr. Findley.  
Mr. Cotter with Mr. Burke of Florida.  
Mrs. Collins of Illinois with Mr. Van Deerlin.  
Mr. Metcalfe with Mr. Waxman.  
Mr. Minish with Mr. McCloskey.  
Mr. Moss with Mr. Brown of Michigan.  
Mr. Murtha with Mrs. Fenwick.  
Mr. Murphy of Illinois with Mr. Young of Florida.

Mr. Staggers with Mr. Walsh.  
Mr. Leggett with Mr. Fountain.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in the RECORD on the House joint resolution just passed, and that I may be permitted to revise and extend my remarks in the RECORD and insert extraneous material, being certain tables.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

## CORRECTION OF RECORD

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the permanent RECORD be corrected as follows:

On page H508 of the daily RECORD of February 4, 1975, in the center column, after the words "(12) Personnel providing coverage by still" strike out the words "photographers' Gallery." and insert the words "photography shall be then currently accredited to the Press Photographers' Gallery."

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

## PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORT

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the Committee on Rules may have until midnight tomorrow night, February 26, 1975, to file a privileged report on the bill H.R. 3166.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## PERSONAL ANNOUNCEMENT

Mr. HORTON. Mr. Speaker, the RECORD of February 19, 1975, incorrectly lists me as not having voted on rollcall No. 18, final passage of House Resolution 138, establishing a Select Committee on Intelligence.

Apparently, the machine did not record my vote. I wish to indicate for the RECORD that I was present and voted in the affirmative on this measure.

## BUDGET RESCISSION BILL

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3260) to rescind certain budget authority recommended in the message of the President of November 26, 1974 (H. Doc. 93-398) and as those rescissions

are modified by the message of the President of January 30, 1975 (H. Doc. 94-39) and in the communication of the Comptroller General of November 6, 1974 (H. Doc. 93-391), transmitted pursuant to the Impoundment Control Act of 1974; and, pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 1 hour, the time to be equally divided and controlled by the gentleman from Michigan (Mr. CEDERBERG) and myself.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. MAHON).

The motion was agreed to.

## IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 3260, with Mr. SISK in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Texas (Mr. MAHON) will be recognized for 30 minutes and the gentleman from Michigan (Mr. CEDERBERG) will be recognized for 30 minutes.

The Chair now recognizes the gentleman from Texas.

Mr. MAHON. Mr. Chairman, this is the second rescission bill, and the first during the 94th Congress, to be reported by the Committee on Appropriations to the House under the provisions of title X of the new Congressional Budget and Impoundment Control Act of 1974.

A total of 40 pending rescissions and 137 pending deferrals that had been submitted to the 93d Congress by the President were automatically resubmitted to the 94th Congress. This bill and report reflect the recommendations of the Committee on Appropriations on these 40 rescissions. The committee is recommending approval of either all or some part of 27 rescissions and is recommending that 13 rescissions not be approved.

Another package of proposed rescissions was transmitted by the President on January 30. These items are not treated in this bill, but the committee had them under consideration and will report its recommendations in the near future. The Presidential message of January 30, 1975, proposed 36 rescissions of \$1.2 billion in budget authority.

## RESCISSION TOTALS

The estimated total of budget authority recommended to be rescinded in H.R. 3260 is \$99 million and a decrease in limitation of \$20 million. This is \$829 million less than the amount proposed for rescission by the President, and this amount will have to be made available for obligation on March 1, 1975, the day after the expiration of the 45-day period prescribed by law. Outlay reductions will total \$87 million in 1975 and \$25 million in 1976.



February 25, 1975

Mr. Chairman, the rescissions proposed by the President and considered in connection with this bill were handled by 7 of the 13 appropriations subcommittees in the usual fashion. Of the total of \$99 million recommended for rescission by the committee, \$60 million is in the Defense area and \$33 million is within the jurisdiction of the subcommittee which handles appropriations for the

Departments of State, Justice, and Commerce.

The committee reported this bill on last Thursday and the report and hearings have been available since that time. Details on each of the many rescissions considered are contained in the messages of the President, the committee hearings,

Mr. Chairman, the members of the and in the report which is organized by Appropriation Subcommittee.

committee and myself who participated in the preparation of this bill will be pleased to undertake to answer questions.

Under leave to insert extraneous material, I am submitting the following table which provides a comparison of the rescissions proposed by the President and the actions recommended by the committee:

COMPARISON OF RESCISSIONS PROPOSED AND ACTIONS RECOMMENDED IN H. R. 3260—SUMMARY

| Rescission No. | Department or activity   | Amount proposed for rescission | Amount recommended for rescission | Amount to be made available for obligation Mar. 1, 1975 | Rescission No. | Department or activity   | Amount proposed for rescission | Amount recommended for rescission | Amount to be made available for obligation Mar. 1, 1975 |
|----------------|--|--------------------------------|-----------------------------------|---|----------------|--|--------------------------------|-----------------------------------|---|
| R75-81         | Department of Agriculture: Water bank program.   | \$21,212,940                   |                                   | \$21,212,940  | R75-11         | Department of Commerce: Social and Economic Statistics Administration.                     | \$373,000                      | \$373,000                         |   |
| R75-17         | Department of Defense—Military: Operation and maintenance, Army.                                   | 41,000,000                     | \$20,500,000                      | 20,500,000  | R75-12         | Economic Development Administration.   | 2,000,000                      |                                   | \$2,000,000   |
| R75-18         | Operation and maintenance, Navy.   | 27,500,000                     | 13,750,000                        | 13,750,000  | R75-13         | Trade Adjustment Assistance.   | 12,000,000                     | 12,000,000                        |   |
| R75-19         | Operation and maintenance, Marine Corps.   | 5,000,000                      | 2,500,000                         | 2,500,000   | R75-14         | U.S. Travel Service.   | 250,000                        | 250,000                           |   |
| R75-20         | Operation and maintenance, Air Force.  | 40,000,000                     | 20,000,000                        | 20,000,000  | R75-15A        | National Oceanic and Atmospheric Administration.   | 3,227,000                      | 3,227,000                         |   |
| R75-21         | Operation and maintenance, Defense agencies.   | 1,900,000                      | 950,000                           | 950,000   | R75-16         | Patent Office.   | 700,000                        | 700,000                           |   |
| R75-22         | Operation and maintenance, Army Reserve.   | 1,800,000                      | 900,000                           | 900,000   |                | Subtotal, Department of Commerce.  | 18,550,000                     | 16,550,000                        | 2,000,000   |
| R75-23         | Operation and maintenance, Navy Reserve.   | 1,100,000                      | 550,000                           | 550,000   |                | Total, Subcommittee on State, Justice, Commerce, and the Judiciary.                        | 36,650,000                     | 33,350,000                        | 3,300,000   |
| R75-24         | Operation and maintenance, Air Force Reserve.  | 400,000                        | 200,000                           | 200,000   |                | Department of the Treasury:  |                                |                                   |   |
| R75-25         | Operation and maintenance, Army National Guard.  | 1,400,000                      | 700,000                           | 700,000   | R75-37         | Office of the Secretary.   | 310,000                        | 310,000                           |   |
| R75-26         | Operation and maintenance, Air National Guard.   | 500,000                        | 250,000                           | 250,000   | R75-38         | Federal Law Enforcement Training Center.   | 60,000                         | 60,000                            |   |
| R75-27A        | Aircraft procurement, Army.  | 5,700,000                      |                                   | 5,700,000   | R75-39         | Bureau of Accounts.  | 630,000                        | 630,000                           |   |
| R75-28A        | Aircraft procurement, Air Force.   | 152,500,000                    |                                   | 152,500,000   |                | U.S. Customs Service.  | 3,000,000                      |                                   | 3,000,000   |
|                | Total, Department of Defense.  | 278,800,000                    | 60,300,000                        | 218,500,000   | R75-41         | Internal Revenue Service: Salaries and expenses.   | 530,000                        |                                   | 530,000   |
| R75-48         | Department of Housing and Urban Development: Homeownership assistance (annual contract authority). | 264,117,000                    |                                   | 264,117,000   | R75-42         | Accounts, collection and taxpayer service.   | 9,230,000                      |                                   | 9,230,000   |
|                | Department of Agriculture—Forest Service:  |                                |                                   |   | R75-43         | Compliance.  | 10,240,000                     |                                   | 10,240,000  |
| R75-10         | Forest land management.  | 10,000,000                     |                                   | 10,000,000  |                | Subtotal, Treasury Department.   | 24,000,000                     | 1,000,000                         | 23,000,000  |
| R75-9          | State and private forestry cooperation.  | 4,921,000                      |                                   | 4,921,000   |                | Executive Office of the President:   |                                |                                   |   |
|                | Total, Subcommittee on Interior.   | 14,921,000                     |                                   | 14,921,000  | R75-45         | Special action office for drug abuse prevention.   | 2,760,000                      | 2,760,000                         |   |
| R75-29A        | Department of Health, Education, and Welfare: Health-resources.                                    | 284,719,332                    |                                   | 284,719,332   | R75-46         | Pharmacological research.  | 2,240,000                      | 2,240,000                         |   |
|                | Department of State:   |                                |                                   |   |                | Special fund.  |                                |                                   |   |
| R75-35         | Contributions to international organizations.  | 2,000,000                      | 2,000,000                         |   |                | Subtotal, Executive Office of the President.   | 5,000,000                      | 5,000,000                         |   |
| R75-36         | International trade negotiations.  | 100,000                        | 100,000                           |   | R75-44         | Independent agencies: General Services Administration: Federal Building Fund (limitation). | (20,022,900)                   | (20,022,900)                      |   |
|                | Subtotal, Department of State.   | 2,100,000                      | 2,100,000                         |   |                | Total, Subcommittee on Treasury, Postal Service, and General Government:                   |                                |                                   |   |
| R75-30         | Department of Justice: Federal Bureau of Investigation.  | 5,300,000                      | 5,300,000                         |   |                | Budget authority.  | 29,000,000                     | 6,000,000                         | 23,000,000  |
| R75-31         | Immigration and Naturalization Service.  | 1,300,000                      |                                   | 1,300,000   |                | Limitation.  | (20,022,900)                   | (20,022,900)                      |   |
| R75-32         | Federal Prison System: Salaries and expenses.  | 5,250,000                      | 5,250,000                         |   |                | Total budget authority.  | 929,420,277                    | 99,650,000                        | 829,770,272   |
| R75-33         | Buildings and facilities.  | 1,750,000                      | 1,750,000                         |   |                | Limitation.  | (20,022,900)                   | (20,022,900)                      |   |
| R75-34         | Drug Enforcement Administration.   | 2,400,000                      | 2,400,000                         |   |                | Grand total.   | 949,443,172                    | 119,672,900                       | 829,770,272   |
|                | Subtotal, Department of Justice.   | 16,000,000                     | 14,700,000                        | 1,300,000   |                |  |                                |                                   |   |

<sup>1</sup> Modified by H. Doc. 94-39.

<sup>2</sup> Amount shown is annual contract authority. The maximum budget authority over a 40 year period is estimated in the 1976 budget at \$7,815,510,000.

<sup>3</sup> Reclassified as a rescission by the Comptroller General (H. Doc. 93-391).

Mr. Chairman, I will not take much additional time at the moment, but I would like to point out that Congress is a coequal branch of Government.

When we enact legislation, we intend that the legislation should be carried out by the executive branch in accordance with the law. The rescissions involved here relate to measures that were passed by the Congress, and, I believe, in all instances signed into law by the President of the United States.

So I would say that it is not appropriate, in my view, for the Executive to

transmit a rescission proposal that only contains funds which have been enacted into law as a result of the initiative of the Congress. I do not subscribe to the theory that everything the Executive does is correct and right and defensible, and that everything the Congress does by way of providing additional sums or modifying sums is all wrong.

Mr. Chairman, I will not use further time at this point.

Mr. CEDERBERG. Mr. Chairman, I yield myself such time as I may consume.

(Mr. CEDERBERG asked and was given permission to revise and extend his remarks.)

Mr. CEDERBERG. Mr. Chairman, we are here today on a question of whether or not we are going to go along on the Presidential request for rescissions.

If I recall correctly, in most instances, as we went to the voters last November, a very large percentage of the Members of this body on both sides of the aisle pledged to the voters that we would take every opportunity to come up with some kind of a balanced budget. That seemed



to be the theme of the political oratory last November.

We are going to have an opportunity now to determine whether or not we really want to put into practice what we said then we ought to do.

Mr. Chairman, I do not have to remind the Members that the budget deficit as anticipated for the close of the fiscal year, on June 30, is going to be something in the area of \$35 billion. As we look at the 1976 budget, the budget deficit appears to be in the area of \$52 billion.

Those deficits are predicated upon this Congress taking certain actions that are recommended by the President, and if these actions are not taken, the result will be an increase in these deficits.

Here we are today, looking at the rescissions which have been requested in the amount of \$949,443,172. Our various subcommittees looked at all of these items and could only find \$119,672,900 to rescind. I just do not believe that we have done the job that we should have, because I think there are more areas here where we could have gone along with the rescissions.

This means that we have failed to rescind \$829,770,272. In other words, what we are saying is that we are going to increase substantially the proposed deficit in this fiscal year and in the coming fiscal year.

So, Mr. Chairman, we have a responsibility to take some further action.

I wish to call to the attention of the Members something that has been bothering me just a little bit. As we know, we passed the Budget and Control Act last year, and under the Budget and Control Act we put this provision in on rescissions and deferrals. That came about because of our concern about impoundments by the Executive, and I understand that.

But it seems to me that what we ought to do is take a good, hard look at some of the things that we have done and what we have required the Executive to do in the area, for instance, of rescissions of such items as \$60,000 and \$200,000.

Let me just read a few of them: It was \$2 million for contributions to international organizations; \$100,000 in international trade negotiations; \$373,000 for the Social and Economic Statistics Administration; Office of the Secretary of the Treasury, \$310,000; for Law Enforcement Training Center, \$60,000.

These are small items that are not worth the bureaucratic paperwork that is necessary to even bring them up for a rescission.

What we ought to do, Mr. Chairman, is change that act so that the rescissions will have to be rather large and meaningful, because are placing an undue burden, in my opinion, on the various agencies downtown that are required to go through all of their agencies, present all this to us, and then we and all our subcommittees have to hold hearings on them. They ought to have some administrative leeway here on items like this so that they do not have to be burdened with this kind of work.

Let me give just one example. There is one deferral, I think it was a deferral

of the rescission having to do with, I think, the Tiajuana project down in California. The reason that it had to be deferred or rescinded was because the City of San Diego just is not ready to go along with it. Why not let the agency just say, "OK. That is it." No, they have to present it under the law to us as a deferral or a rescission.

I think we have gotten ourselves into a lot more paperwork for, I think, no good purpose. As far as I am personally concerned, it seems to me that what we should do is go along with more rescissions than we have here. I recognize that there are some areas that are very sensitive, and certainly we ought to have been able to rescind a portion of them between now and the end of the fiscal year.

Let me just say this: Most of the agencies downtown were advised back in about November that they were going to be required to present a certain amount of rescissions from that particular agency. Those agencies presented their rescissions, and they have been spending at a rate consistent with the fact that the Congress would agree with the rescission. Now here we are, about the 1st of March, a few months left in the fiscal year, and we are going to say, "No. Between now and the end of the fiscal year, you spend it all, whether you can do it wisely or not." I think that is very, very poor administration.

Let me give just one other example. There is one in my own subcommittee. The Immigration and Naturalization Service sent up a rescission for \$1,300,000, out of a \$175 million budget.

No one can tell me that they cannot rescind \$1,300,000 out of \$175 million. But an agency always comes in and says, "OK. We are going to rescind. We are going to rescind this \$1,300,000, but it will have a serious impact on our alien program, the finding of our aliens and getting them back."

We are all for that program, particularly those in southern California, and those areas recognize the merits of this program. But no. The agency comes in and says, "This is the one where, if you rescind that money, we are going to have to slow down that program of finding these aliens that are taking the jobs of Americans."

No one can tell me that that agency could not find that money, or at least a portion of that money, in some other area that is not as vital and one does not have as much concern to all.

These are some of the problems that we are faced with. I know that there are others who are going to speak on the subject and discuss them with us. We are going to have other rescissions that are going to come up. It is becoming very difficult to rescind anything or to try to bring any fiscal sanity to the problems that are confronting our Government.

Some of these things we could spend the money for, and it would be wisely spent, but it just seems to me in the light of the fiscal conditions we find our country in today that we ought to go further than we have in this particular bill.

Mr. FRENZEL. Mr. Chairman, I support the budget rescission bill, because

it will decrease our expenses in this fiscal year by over \$100 million. But, I object very strongly to it, because we are wasting the chance not to make more significant budget cuts.

As I understand it, this rescission bill approves only about 13 percent of the items considered by the committee for rescission. In turning down over \$800 million worth of proposals and accepting only a little more than \$100 million worth, the committee has demonstrated that Congress has not learned to control its spending appetite and has no intention of reducing it.

Those of us who have a great deal of concern over growing budget deficits can only conclude that Congress was kidding itself and its constituents when it passed the Budget Control Act. Our budgets are more out of control today than when we passed that act, and we ought to tell the people that we have no intention of paying for the things we want.

The projected deficit for the fiscal year ending in June, based on our unwillingness to make rescissions, and our enthusiasm to return tax money, may go as high as \$50 billion. For the fiscal year beginning in June, the President's forecast of \$50 billion seems likely to turn into an \$80 billion deficit.

Nobody likes making cuts in good programs. Nevertheless, if everything is not cut slightly, we will continue to compound our deficits. But we have here some programs that can stand a cut. The F-111 appropriation, which was not even requested by the Defense Department, has got to be classed as pure waste. I will admit that we have already laid cuts pretty heavily on the Defense Department, since half of the rescissions in that bill come from that Department. Nevertheless, Defense is a prime candidate for reductions, and the F-111 should go. But each Department should make at least a token sacrifice.

Mr. Chairman, this Congress quite obviously intends to make other sizable, and as yet unbudgeted, appropriations. These will occur in the fields of emergency jobs, extended unemployment and other so-called recession fighters. Faced with those perhaps necessary, emergency expenses, we are showing the height of fiscal irresponsibility in not accepting the rescission package which was presented to the Congress.

When the Budget Control Act was passed, many Members of this Congress, including myself, stated that Congress now had the mechanism to begin controlling its expenses and setting its own priorities but that it might never have the backbone to do so. I think we have demonstrated today that the Congress has the capability but not the desire to be fiscally responsible. We have the way but not the will.

Mr. BADILLO. Mr. Chairman, I am pleased to rise in support of H.R. 3260, which nullifies a number of budget cuts proposed by President Ford. In particular, I am glad to note that the bill refuses to uphold a drastic rescission of section 235 housing funds, a large reduction in Hill-Burton programs, and a substantial cutback in the Commerce Department's Economic Development Administration's budget.



On several occasions in the past I have sharply disagreed with the budgetary priorities of the administration. Repeatedly I have stressed the need to re-order our spending priorities to assure that our pressing domestic needs are adequately met. In view of our current economic crisis, budgetary policies assume a heretofore unprecedented importance. Inflation is eroding the purchasing power of those with fixed incomes, plunging the Nation's senior citizens into deprivation; joblessness robs members of our workforce of wages and their families suffer. Food and energy-related costs have risen enormously, and the resultant transfer of income is contributing to the spiral of lower demand, production cutbacks, and loss of jobs. Now, more than ever, our budget policies must be designed to safeguard the weak and bring about a strong economic recovery. Yet, the administration continues to disregard ominous warning signals and persists in cutting funding for essential domestic programs. Congress clearly must take the initiative to right our topsy-turvy spending priorities.

The measure before us will help to reverse this trend. It nullifies a proposed \$284,719,332 rescission of the Hill-Burton program, presently utilized for the erection and modernization of health centers and the construction of much-needed outpatient facilities. It also prevents a \$364 million rescission of 235 housing funds, the homeownership program for the poor, as well as a \$2 million reduction of EDA's technical assistance moneys, scheduled to aid distressed areas experiencing economic adjustment problems.

But while I applaud the work of the committee in keeping the above programs viable I am unhappy with the cuts that were permitted to stand. The deferral of \$50 million section 701 comprehensive planning grants will disrupt New York City's programs in education, economic development and health planning. It will also have an adverse effect on planning for environmental systems, social welfare, parks and recreation management, housing and capital programs. I co-sponsored legislation disapproving this deferral and wish that it had received the committee's favorable consideration.

Also unfortunate is the over \$7 million cutback in prison program funds. I am particularly unhappy about the loss of the \$300,000 scheduled for community drug treatment projects. If savings had to be effected, they should have come out of our inflated defense budget, not our domestic assistance programs.

Mr. Chairman, I am daily receiving communications from constituents who are dismayed, angered and upset by the budgetary policies of the administration and who call on Congress to take the initiative and safeguard the national welfare. I hope that Members of this body will rise to that challenge and take the necessary steps to assure realistic and equitable funding levels for our vital domestic programs.

Mr. BIAGGI. Mr. Chairman, I rise briefly to state my opposition to the President's request to rescind \$1.3 million of the moneys appropriated for the Immigration and Naturalization Service fis-

cal year 1975 budget. I am pleased to note that the committee did not approve this request, and I hope my colleagues realizing the importance of the INS toward solving the illegal alien crisis will follow suit and vote down this request.

America is contending with a silent invasion of between 4 and 12 million illegal aliens who are posing a dangerous threat to the economic security of this Nation and her people. For example, 1 million of these illegal aliens are employed in jobs which are desperately sought by American workers.

The Immigration Service is the primary agency responsible for locating and deporting illegal aliens. Yet despite the severity of this crisis we find this administration directing its misguided budget slasher into the wrong victim. Already this year the INS has been forced to cut back on its apprehension operations due to lack of sufficient funding, and yet we find efforts to trim the budget still further.

I feel we should be increasing the INS budget and thus their ability to better deal with the illegal aliens problem. I have introduced legislation H.R. 257 which will provide the INS with 2,500 additional personnel to help them slow the influx of illegal aliens, as well as intensify their efforts at locating those living in the United States. For years the INS has fallen victim to underfunding and staffing yet they have still managed to increase both their apprehension and deportations, the latter increasing by 71 percent in the last 3 years.

The illegal alien problem is a grave one, one whose solution must be found quickly. Adequate INS funding will allow them to free the 1 million jobs held by illegal aliens and will allow them to return them to American workers. Adequate INS funding will allow them to deal with projections that the numbers of illegal aliens seeking entry into this Nation will double in the next 5 years. Adequate funding will show to the INS that we in Congress do consider them to be one of our most important law enforcement units.

Today's vote could be a step in the right direction in our battle against the illegal alien problem. We must recognize this problem, and intensify our efforts to achieve its effective control.

Mr. EVANS of Indiana. Mr. Chairman, I suppose that half a loaf is better than none, and for that reason, I support the budget rescission bill before us today.

I have read the report accompanying this bill carefully. I respect the committee's judgment that all but \$119.6 million of the proposed \$949.5 million rescission be restored. But there will be some skepticism as to whether we have done enough in this measure to reduce unnecessary Government expenditures. Without indepth oversight, it is my belief that skepticism is justified.

I note that only one subcommittee mentions the expense of official employee travel. In two instances where the proposed rescission included a reduction in such travel, the subcommittee approved the rescission. But yet in a third instance, where such travel restrictions were included as a reason for reduction in spending, the reduction was disapproved.

I can tell this body that the thought of Government employees traipsing to conventions and meetings in various parts of the country depending on the season makes the taxpayers I represent absolutely irate.

The request for reduction in military maintenance funds was cut in half, despite the fact that the rationale for even this funding, which is to reduce the backlog of maintenance projects, could not even be supported by the identification of the exact amount of the backlog. In other words, we are mandating the expenditure of \$60 million when we don't know whether the actual needs call for \$10 million or \$100 million.

Then, despite the fact that the Department of Defense does not seem to want the F-111 bomber, they will get it anyway. Because a miscalculation in costs was made in the beginning with the B-1 bomber, whose costs have about doubled since the original cost estimates of 1971, the taxpayer will be paying for both the very expensive B-1, and its back-up, the F-111. Wouldn't the wiser course be to make a determination now as to whether or not the B-1 will ultimately work out?

I do not have to remind anyone of voter dissatisfaction with the Federal Government, including the Congress. Whether or not we change this situation depends, to a large measure, on how responsibly we spend Federal tax dollars.

Mr. OBERSTAR. Mr. Chairman, during the vote on the final passage of H.R. 3260, rescinding certain budget authority recommended by the President, I will be at a meeting in the Senate wing of the Capitol to discuss industrial-monetary exchange between the United States and Sweden with the Swedish industrial delegation, led by His Royal Highness Prince Bertil of Sweden and hosted by Senator HUBERT H. HUMPHREY.

While I will be present to vote on amendments to this bill, because of this important meeting I will be unable to be present on the floor during the vote on final passage of H.R. 3260. Had I been present I would have voted "aye."

Mr. MILLER of Ohio. Mr. Chairman, this rescission bill being considered today contains approved rescissions of slightly less than \$100 million. President Ford had submitted proposals totaling \$930 million. I will support this bill since even \$1 saved by a rescission is a step that is urgently needed. However, I feel very strongly that the Congress is not doing its job properly when only one-ninth of the proposed rescissions are approved.

The budget deficits for fiscal years 1975 and 1976 are projected, at a minimum, to reach a total of \$87 billion. What the administration has proposed here in the way of rescissions is just a drop in the bucket when compared to the overall picture—and yet their request is still denied. Each of the subcommittees has heard testimony from the agencies and programs affected by the proposed rescissions to the effect that their operations will not be adversely affected by rescinding these funds. In spite of this testimony, less than 15 percent of the rescissions are being approved by this bill.

In some instances there has been criticism that these rescissions will not have



the net effect of saving money, since reducing operating capabilities in one area will only increase the burden in another Government-supported area. This theory has proven to be highly speculatively, with no facts to back it up. Until such time as those supporting facts are presented, the presumption that the rescissions are indeed money-saving proposals should be adhered to.

At a time when every citizen is being asked to tighten his belt and reduce family expenditures, the Federal Government cannot be expected to do any less. However, by approving such a small proportion of these rescissions the Congress is not acting responsibly and is failing to do its share to reduce Federal spending.

Mr. MAHON. Mr. Chairman, I have no further requests for time.

Mr. CEDERBERG. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following rescissions of budget authority contained in the message of the President of November 26, 1974 (H. Doc. 93-398) and as those rescissions are modified by the message of the President of January 20, 1975 (H. Doc. 94-39) and in the communication of the Comptroller General of November 6, 1974 (H. Doc. 93-391), are made pursuant to the Impoundment Control Act of 1974, namely:

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. MICHEL: Strike out all after the enacting clause, and insert in lieu thereof:

That the following rescissions of budget authority contained in the message of the President of November 26, 1974 (H. Doc. 93-398) as modified by the message of the President of January 30, 1975 (H. Doc. 94-39) and in the communication of the Comptroller General of November 6, 1974 (H. Doc. 93-391), are made pursuant to the Impoundment Control Act of 1974, namely:

#### CHAPTER I

##### DEPARTMENT OF AGRICULTURE

##### AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

##### WATER BANK PROGRAM

Appropriations provided in the Agriculture-Environmental and Consumer Protection Appropriation Act, 1973, 1974, and 1975 to carry into effect the provisions of the Water Bank Act (16 U.S.C. 1301-1311), are rescinded in the amount of \$21,212,940.

#### CHAPTER II

##### DEPARTMENT OF DEFENSE—MILITARY

##### OPERATION AND MAINTENANCE

##### OPERATION AND MAINTENANCE, ARMY

Appropriations provided under this head in the Department of Defense Appropriation Act, 1975, are rescinded in the amount of \$41,000,000, to be derived from the sum provided only for the maintenance of real property facilities.

##### OPERATION AND MAINTENANCE, NAVY

Appropriations provided under this head in the Department of Defense Appropriation

Act, 1975, are rescinded in the amount of \$27,500,000, to be derived from the sum provided only for the maintenance of real property facilities.

##### OPERATION AND MAINTENANCE, MARINE CORPS

Appropriations provided under this head in the Department of Defense Appropriation Act, 1975, are rescinded in the amount of \$5,000,000, to be derived from the sum provided only for the maintenance of real property facilities.

##### OPERATION AND MAINTENANCE, AIR FORCE

Appropriations provided under this head in the Department of Defense Appropriation Act, 1975, are rescinded in the amount of \$40,000,000, to be derived from the sum provided only for the maintenance of real property facilities.

##### OPERATION AND MAINTENANCE, DEFENSE AGENCIES

Appropriations provided only for the maintenance of real property facilities under this head in the Department of Defense Appropriation Act, 1975, in the amount of \$100,000 for the Defense Mapping Agency, in the amount of \$1,000,000 for the Defense Supply Agency, and in the amount of \$800,000 for Intelligence and Communications activities; in all: \$1,900,000, are rescinded.

##### OPERATION AND MAINTENANCE, ARMY RESERVE

Appropriations provided under this head in the Department of Defense Appropriation Act, 1975, are rescinded in the amount of \$1,800,000, to be derived from the sum provided only for the maintenance of real property facilities.

##### OPERATION AND MAINTENANCE, NAVY RESERVE

Appropriations provided under this head in the Department of Defense Appropriation Act, 1975, are rescinded in the amount of \$1,100,000, to be derived from the sum provided only for maintenance of real property facilities.

##### OPERATION AND MAINTENANCE, AIR FORCE RESERVE

Appropriations provided under this head in the Department of Defense Appropriation Act, 1975, are rescinded in the amount of \$400,000, to be derived from the sum provided only for maintenance of real property facilities.

##### OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

Appropriations provided under this head in the Department of Defense Appropriation Act, 1975, are rescinded in the amount of \$1,400,000, to be derived from the sum provided only for the maintenance of real property facilities.

##### OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

Appropriations provided under this head in the Department of Defense Appropriation Act, 1975, are rescinded in the amount of \$500,000, to be derived from the sum provided only for maintenance of real property facilities.

#### PROCUREMENT

##### AIRCRAFT PROCUREMENT, ARMY

Appropriations provided under this head in the Department of Defense Appropriation Act, 1975, are rescinded in the amount of \$5,700,000.

##### AIRCRAFT PROCUREMENT, AIR FORCE

Appropriations provided under this head in the Department of Defense Appropriation Act, 1975, are rescinded in the amount of \$152,500,000.

#### CHAPTER III

##### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

##### HOMEOWNERSHIP ASSISTANCE

The limitation otherwise applicable to the total payments that may be required in any fiscal year by all contracts entered into

under Sec. 235 of the National Housing Act, as amended (12 U.S.C. 1715z), is hereby reduced by the uncommitted balances of authorizations heretofore provided for this purpose in appropriation acts.

#### CHAPTER IV

##### DEPARTMENT OF THE INTERIOR RELATED AGENCIES

##### DEPARTMENT OF AGRICULTURE FOREST SERVICE

##### FOREST PROTECTION AND UTILIZATION

Appropriations for the fiscal year 1975 for "Forest Protection and Utilization" for "Forest Land Management" are rescinded in the amount of \$10,000,000.

Appropriations for the fiscal year 1975 for "Forest Protection and Utilization" for "State and Private Forestry Cooperation" are rescinded in the amount of \$4,921,000.

#### CHAPTER V

##### DEPARTMENT OF STATE

##### INTERNATIONAL ORGANIZATIONS AND CONFERENCES

##### CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

Appropriations provided under this head in the Department of State Appropriation Act, 1975, are rescinded in the amount of \$2,000,000.

##### INTERNATIONAL TRADE NEGOTIATIONS

Appropriations provided under this head in the Department of State Appropriation Act, 1975, are rescinded in the amount of \$100,000.

##### DEPARTMENT OF JUSTICE

##### FEDERAL BUREAU OF INVESTIGATION

##### SALARIES AND EXPENSES

Appropriations provided under this head in the State, Justice, Commerce, Judiciary, and Related Agencies Appropriation Act, 1975, are rescinded in the amount of \$5,300,000.

##### IMMIGRATION AND NATURALIZATION SERVICE

##### SALARIES AND EXPENSES

Appropriations provided under this head in the State, Justice, Commerce, Judiciary, and Related Agencies Appropriation Act, 1975, are rescinded in the amount of \$1,300,000.

##### FEDERAL PRISON SYSTEM

##### BUREAU OF PRISONS

##### SALARIES AND EXPENSES

Appropriations provided under this head in the State, Justice, Commerce, Judiciary, and Related Agencies Appropriation Act, 1975, are rescinded in the amount of \$5,250,000.

##### BUILDINGS AND FACILITIES

Appropriations provided under this head in the State, Justice, Commerce, Judiciary, and Related Agencies Appropriation Act, 1975, are rescinded in the amount of \$1,750,000.

##### DRUG ENFORCEMENT ADMINISTRATION

##### SALARIES AND EXPENSES

Appropriations provided under this head in the State, Justice, Commerce, Judiciary, and Related Agencies Appropriation Act, 1975, are rescinded in the amount of \$2,400,000.

##### DEPARTMENT OF COMMERCE

##### SOCIAL AND ECONOMIC STATISTICS ADMINISTRATION

##### SALARIES AND EXPENSES

Appropriations provided under this head in the Department of Commerce Appropriation Act, 1975, are rescinded in the amount of \$373,000.

##### ECONOMIC DEVELOPMENT ADMINISTRATION ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

Appropriations provided under this head in the Department of Commerce Appropriation Act, 1975, are rescinded in the amount of \$2,000,000.



## TRADE ADJUSTMENT ASSISTANCE

## FINANCIAL AND TECHNICAL ASSISTANCE

Appropriations provided under this head in the Department of Commerce Appropriation Act, 1972, are rescinded in the amount of \$12,000,000.

## UNITED STATES TRAVEL SERVICE

## SALARIES AND EXPENSES

Appropriations provided under this head in the Department of Commerce Appropriation Act, 1975, are rescinded in the amount of \$25,000.

## NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

## OPERATIONS, RESEARCH, AND FACILITIES

Appropriations provided under this head in the Department of Commerce Appropriation Act, 1975, are rescinded in the amount of \$1,227,000; *Provided*, That no part of the remaining sums shall be subject to the second proviso of said appropriation.

## PATENT OFFICE

## SALARIES AND EXPENSES

Appropriations provided under this head in the Department of Commerce Appropriation Act, 1975, are rescinded in the amount of \$700,000.

## CHAPTER VI

## DEPARTMENT OF THE TREASURY

## OFFICE OF THE SECRETARY

## SALARIES AND EXPENSES

Appropriations provided under this head in the Treasury, Postal Service, and General Government Appropriation Act, 1975, are rescinded in the amount of \$310,000.

## FEDERAL LAW ENFORCEMENT TRAINING CENTER

## SALARIES AND EXPENSES

Appropriations provided under this head in the Treasury, Postal Service, and General Government Appropriation Act, 1975, are rescinded in the amount of \$60,000.

## BUREAU OF ACCOUNTS

## SALARIES AND EXPENSES

Appropriations provided under this head in the Treasury, Postal Service, and General Government Appropriation Act, 1975, are rescinded in the amount of \$630,000.

## UNITED STATES CUSTOMS SERVICE

## SALARIES AND EXPENSES

Appropriations provided under this head in the Treasury, Postal Service, and General Government Appropriation Act, 1975, are rescinded in the amount of \$3,000,000.

## INTERNAL REVENUE SERVICE

## SALARIES AND EXPENSES

Appropriations provided under this head in the Treasury, Postal Service, and General Government Appropriation Act, 1975, are rescinded in the amount of \$530,000.

## AGENTS, COLLECTION, AND TAXPAYER SERVICE

Appropriations provided under this head in the Treasury, Postal Service, and General Government Appropriation Act, 1975, are rescinded in the amount of \$9,230,000.

## COMPLIANCE

Appropriations provided under this head in the Treasury, Postal Service, and General Government Appropriation Act, 1975, are rescinded in the amount of \$10,240,000.

## EXECUTIVE OFFICE OF THE PRESIDENT

## SPECIAL ACTION OFFICE FOR DRUG ABUSE PREVENTION

## PHARMACOLOGICAL RESEARCH

Appropriations provided under this head in the Executive Office Appropriation Act, 1975 are rescinded in the amount of \$2,760,000.

## SPECIAL FUND

Appropriations provided under this head in the Executive Office Appropriation Act, 1975 are rescinded in the amount of \$2,240,000.

## INDEPENDENT AGENCIES

## GENERAL SERVICES ADMINISTRATION

## FEDERAL BUILDINGS FUND

## Limitations on Availability of Revenue

The amount made available under this head in the Treasury, Postal Service, and General Government Appropriations Act, 1975, is hereby reduced in the amount of \$20,022,900, which reduction shall apply specifically to the limitation on alterations and major repairs.

Mr. MICHEL (during the reading). Mr. Chairman, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

(Mr. MICHEL asked and was given permission to revise and extend his remarks.)

Mr. MICHEL. Mr. Chairman and members of the committee, there were total rescissions recommended to us in the amount of \$949 million. As has been alluded to several times here, the various subcommittees have agreed in total to \$119 million of rescissions. I propose by my amendment in the nature of a substitute to agree to all the rescissions that have been proposed except for the \$284 million Hill-Burton funds which have been already released by the Department, and which the House of Representatives has already asserted itself and said it would not go along with this rescission.

We then find a total of \$545 million in the balance of rescissions that are affected by my amendment in the nature of a substitute.

In the Department of Agriculture the water bank program, \$21.2 million.

In the military:

Operation and maintenance for the Army, \$20,500,000; Navy, \$13,750,000; Marine Corps, \$2.5 million; Air Force, \$20 million.

Defense agencies, \$950,000.

For the Army Reserve, \$900,000; Navy Reserve, \$550,000; Air Force Reserve, \$200,000; Army National Guard, \$700,000; Air National Guard, \$250,000.

Aircraft procurement for the Army, \$5.7 million; Aircraft procurement for the Air Force, \$152.5 million.

In the Department of Housing and Urban Development there is \$264 million.

Forest land management, \$10 million. State and private forestry cooperation, \$1,921,000.

Immigration and Naturalization Service, \$1.3 million.

Economic Development Administration, \$2 million.

U.S. Customs Service, \$3 million.

For the Internal Revenue Service: Salaries and expenses, \$530,000; accounts, collection and taxpayer service, \$9,230,000; compliance, \$10,240,000.

That makes a total of requested rescissions on the part of the administration in the amount of \$545,050,940, and which by way of my amendment in the nature of a substitute, I would like to see an expression on the part of the House that we are willing to go along with these rescissions.

As the ranking minority member, the gentleman from Michigan (Mr. CEDERBERG), said, and as has been stated in the minority views, we just do not think that we have any alternative here but to go along as best we can and save another half billion dollars when given that opportunity. It certainly is not going to be all that tragic; when you look at the items where there is less than \$1 million involved in some of the departments; I think we ought to go along with it.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from California.

Mr. ROUSSELOT. I appreciate the gentleman's yielding.

In the deliberations of the Committee on Appropriations when these rescissions were requested by the President, was there any evidence that these rescissions would in any way greatly hamper any of these programs or force any drastic cutbacks?

Mr. MICHEL. As the gentleman well knows, I only serve on two subcommittees and do not have that area of expertise. But when we had our full committee hearings, I was not all that impressed with the arguments that we had to turn down the rescissions in the amount that we did in these various categories which I have mentioned. I just do not have that kind of fear, and obviously the administration does not either, or they would not have proposed them in the first place.

Mr. ROUSSELOT. Will the gentleman yield further?

Mr. MICHEL. I yield to the gentleman from California.

Mr. ROUSSELOT. I appreciate the gentleman's yielding.

In other words, as the gentleman from Michigan (Mr. CEDERBERG) indicated, when most of these agencies were questioned on these particular rescissions, they complained only slightly because they wanted "this additional money." But in most cases it was shown that the rescissions would in no way hamper these programs or cause a great depression?

Mr. MICHEL. I do not think so. There may be those who would argue to the contrary. Obviously there was some compelling reason for their having turned them down in their various subcommittees. I just do not happen to have that fear. There will be a difference of opinion, whether it is on that side of the aisle or on this side.

Mr. ROUSSELOT. If the gentleman will yield further, in other words, for those Members of the House who were here last year and voted for the Budget Control Act which said we want now to begin to control this budget, and for those people who do not want to contribute to this massive debt that we are going to have in this fiscal year—which we have been told will be anywhere from \$35 billion—

The CHAIRMAN. The time of the gentleman has expired.

(At the request of Mr. CHARLES H. WILSON of California, and by unanimous consent, Mr. MICHEL was allowed to proceed for 3 additional minutes.)

Mr. MICHEL. I thank the gentleman.

Mr. ROUSSELOT. If the gentleman



would yield further, the Chairman of the Federal Reserve Board, Mr. Burns, told our Committee on Banking and Currency last week that his estimates are that the deficit for this fiscal year is going to be far greater than \$35 billion. As a matter of fact, he said it could go as high as \$50 or \$60 billion, the way this Congress is spending.

So, for all of my colleagues who said they were going to support a balanced budget and were going to try to trim in those areas where we could logically trim, this is the key vote: to support my colleague's amendment; is that correct?

Mr. MICHEL. I thank the gentleman.

Mr. CHARLES H. WILSON of California. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from California.

Mr. CHARLES H. WILSON of California. I thank the gentleman for yielding.

I wonder if my friend, the gentleman from Illinois, will explain to me what his amendment will do insofar as the Department of Defense items are concerned. I am particularly concerned with the aircraft procurement for the Army and the aircraft procurement for the Air Force, the \$5.7 million for the UH-1H helicopter and the money for the A-7 and the F-111.

Mr. MICHEL. I will say to the gentleman from California in that particular Army, the amounts that I have alluded area of aircraft procurement for the to are \$5.7 million and for the aircraft procurement in the Air Force, \$152½ million.

Mr. CHARLES H. WILSON of California. Is the gentleman rescinding that?

Mr. MICHEL. We are agreeing to the rescission in my amendment, yes.

Mr. CHARLES H. WILSON of California. The rescission?

Mr. MICHEL. Yes.

Mr. CHARLES H. WILSON of California. This is all rather technical, and I want to be sure we are talking about the same things. The gentleman is eliminating the money for the F-111 and the A-7?

Mr. MICHEL. Yes.

Mr. CHARLES H. WILSON of California. And the Bell helicopter under this amendment?

Mr. MICHEL. I am sure of the first two—

Mr. CHARLES H. WILSON of California. I did not hear the gentleman mention the \$5.7 million. However, that is not as important.

Mr. MICHEL. Yes. The \$5.7 million is also included.

Mr. CHARLES H. WILSON of California. I think this is an excellent amendment. I, for one, am proposing support for the amendment. I think that many other Democrats on this side who supported the Budget Control Act should do the same thing. I think the only responsible thing is to try and save. I have looked through here, and I cannot see any programs that are going to hurt job training or any of this type of thing that is important to my district.

I think this is a very responsible thing the gentleman is doing.

Mr. MICHEL. The gentleman makes a very valid contribution and I appreciate his support.

Mr. ARMSTRONG. Mr. Chairman, I rise in support of the amendment.

(Mr. ARMSTRONG asked and was given permission to revise and extend his remarks.)

Mr. ARMSTRONG. Mr. Chairman, I commend the gentleman from Illinois for this amendment because it puts before the body squarely the issue of whether or not we are really serious about doing something about the skyrocketing deficit or only giving it lipservice.

As pointed out by the gentleman from California (Mr. ROUSSELOT) and others, many of us have gone to the people to say we want to do something about inflation and stopping the skyrocketing budget. Here is our chance. We can do it without crippling programs by taking the modest cuts proposed by the administration.

It seems to me if the President and the department heads can come to us and say that they can do with \$950 million less, it is a sorry performance by the Congress if we accept only 13 percent of the proposed reductions.

I think we can and must do better than that. The amendment is right on target.

There is one additional issue. After the subcommittee refused to go along with the rescission for HEW, the Department went ahead and released those funds. I think they made a terrible mistake and I hope if anybody from the Department reads today's proceedings he will be on notice that some of us think the Department should have awaited final action by the Congress instead of caving in at the outset.

With these remarks I am pleased to support the amendment offered by the gentleman from Illinois and I hope others will do the same.

(Mr. KEMP asked and was given permission to revise and extend his remarks.)

Mr. KEMP. Mr. Chairman, I rise in support of the Michel amendment and heartily endorse his comments.

The Committee on Appropriations considered 39 proposed rescissions of budget authority. Those proposed rescissions totaled nearly a billion dollars—\$949,433,172. Of that amount, the committee has recommended the rescission of only \$119,672,900—slightly more than 13 percent of the dollars under consideration. We must do better on behalf of the taxpayers of America.

The budget authority recommended not to be rescinded through this bill totals \$829,760,272. In that Federal spending is already far in excess of anticipated revenues, these funds will have to be borrowed by the Federal Government, adding to the deficit for the year and to the national public debt and taking away funds needed for private borrowing by prospective home purchasers, businesses, industries, and so forth.

That these funds will have to be borrowed is beyond question. In this evening's edition of the Washington Star,

there appears an article about the Government having to now borrow \$38 billion just to match current expenses.

It says in part:

UNITED STATES MAY HAVE TO BORROW \$38  
BILLION TO PAY DEBTS  
(By Lee M. Cohn)

The Treasury now believes it may have to borrow a net \$38 billion—or \$10 billion more than previously estimated—to finance the budget through the end of June.

The Ford administration is worried that the government may squeeze out private borrowers and raise interest rates—impeding the economy's recovery from recession—especially if Congress enlarges the budget deficit sharply.

This borrowing will have a number of effects—all detrimental to our efforts to revitalize the economy.

This Nation faces Federal deficits of at least \$86.5 billion in this and the next fiscal years. An extensive analysis of February 3, made by our distinguished and able chairman of the Committee on Appropriations Mr. MAHON, a Member for whom I have the highest regard, shows that 2-year deficit could rise to as high as \$166.6 billion.

Yet, the size of Federal spending—as evidenced by the lack of action on the administration's proposed rescissions continues to mount.

That deficit spending is fueling inflation and strangling our ability to recover from this recession.

It is robbing our capital markets of the ability to create jobs.

It is undercutting our ability to restore private funds for the critically sagging construction industry, especially housing construction.

It is pushing up the rates of interest my constituents and others must pay on loans.

It is destroying the capacity of the average American family to make ends meet and to plan for the future.

And, it is jeopardizing our Nation's leadership in international affairs.

As we said in our minority views accompanying the committee's report, the Congress could have done much better on this bill than rescinding only 13 percent.

I believe the Congress can and must prove its fiscal record. It should start that process immediately.

This afternoon, we have that opportunity, through this amendment to restore over a half billion of the rescissions proposed by the administration.

If every Member views this bill and this process from solely a parochial interest—how it affects a congressional district or a favorite program—we will rescind very little either today or in the months to come. I know there are items in here in which I have an interest and which I favor. But that is not the point.

Today, we must decide whether the Congressional Budget Act is to have a real meaning, or whether it is to be no more than a sham.

Is the Congress going to continue to tax and spend and tax some more, putting heavier and heavier burdens on the taxpayers, especially through the inflation which is a direct result of excessive Federal deficit spending and which will



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rob them of their purchasing power no matter how many tax rebates are enacted?

Or is the Congress going to exercise the authority given to it by the Budget Act, approving the rescissions recommended by those certainly in a position to know how much is not needed, and helping remove some of the burdens from the backs of the people who have to foot the bills incurred by congressionally approved Federal spending? At last notice, taxes had risen 25 percent in the last year, higher than any other segment of the rate in the cost of living.

Mr. Chairman, I urge adoption of the amendment to save more than a half billion dollars.

Mr. BURGNER. Mr. Chairman, will the gentleman yield?

Mr. KEMP. Mr. Chairman, I yield to the gentleman from California (Mr. BURGNER).

(Mr. BURGNER asked and was given permission to revise and extend his remarks.)

Mr. BURGNER. Mr. Chairman, I would like to associate myself with the remarks of the gentleman from Michigan (Mr. CEDERBERG) and the gentleman from Illinois (Mr. MICHEL) and the gentleman from California (Mr. ROUSSELOT) and the gentleman from California (Mr. CHARLES H. WILSON) and the gentleman from Colorado (Mr. ARMSTRONG) and the gentleman from New York (Mr. KEMP).

I think now is the time when we must decide whether or not we can have it both ways. I think we cannot. I think the amendment offered by the gentleman is reasonable and I intend to support it.

Mr. Chairman, I thank the gentleman for yielding.

Mr. KEMP. Mr. Chairman, I appreciate the remarks made by the gentleman from California.

Mr. HILLIS. Mr. Chairman, will the gentleman yield?

Mr. KEMP. I yield to the gentleman from Indiana (Mr. HILLIS).

(Mr. HILLIS asked and was given permission to revise and extend his remarks.)

Mr. HILLIS. Mr. Chairman, I too, would like to associate myself with the comments which have been made here. I rise in support of the amendment and I associate myself particularly with the remarks made by the gentleman from New York (Mr. KEMP).

It seems to me this is the first test of the Budget Reform Act. What does it really mean? Does it mean what it said last year, that we are going to strive for a balanced budget, particularly on low priority items?

As my colleague, the gentleman from California (Mr. CHARLES H. WILSON) said, there is nothing in here about manpower, nothing about putting people back to work. We are going to take up the tax cut this week or next week. That is going to accelerate and enlarge the deficit.

It seems to me it is time to economize and cut where we can and this is the time to do it.

Mr. STEED. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I know it is a very hectic thing to get up and beat our breasts and talk in favor of economy and all that sort of thing; but I think at the same time we can and should be a little responsible and take a good look at what we are faced with here.

These recommendations of the Appropriations Committee were not arrived at blindly. On the part of this bill of which I have the chairmanship, we very carefully considered every item.

Whenever we say that we think we ought to make rescissions for the Internal Revenue Service and the U.S. Customs Service, that might be fine and dandy if it did not have any serious impact. But here we are talking about how much indebtedness we are faced with and yet there are some who want to cripple the very few agencies that bring in the funds to pay the bills, when they are hard pressed with the workload they already have. Every time the Congress turns around they talk about new acts that will place heavier burdens on these agencies for this fiscal year.

Next Monday, the subcommittee that I chair will start hearings on supplemental requests for these very same agencies by the Office of Management and Budget that recommended these rescissions. What good is it if on their recommendation everything that is recommended they turn down, and after they have recommended it and we have approved it and the need is established for it and now they want to rescind it? Before we get around to finish that part of the work, here is a recommendation from the same OMB experts to put it back in again.

I think this is a charade that should be taken care of today. I hope my colleagues will take a responsible course and support this bill and defeat this amendment.

Mr. BOLAND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in the long list of accounts that the gentleman from Illinois (Mr. MICHEL) read, he referred to an item in the Department of Housing and Urban Development, \$264 million in contract authority under the section 235 homeownership program. Originally the administration sent a deferral message to the Congress on this item. I want to emphasize this to the members sitting in the committee at the present time. It was sent up as a deferral message, so clearly the administration did not intend that that program would be rescinded.

The reason the subcommittee took action insofar as a rescission is concerned is because the Comptroller General sent an opinion to the Congress concluding that the recommendation of the President was a de facto rescission. That is the reason the committee considered it to be a rescission and recommended no action.

The reason why the Comptroller General indicated it was a de facto rescission was that the Housing and Community Development Act of 1974 terminates the unused contract authority as of August 22, 1975, and this would not give the Department time to actually obligate the

\$264 million in contract authority that is available under this program. Consequently, the Comptroller General reclassified it as a de facto rescission and under the rules we had to consider it as a rescission.

In my judgment, it is a program which we are better off with as a deferral. I think it is a program that ought to be held in abeyance until it is clearly determined whether or not it is an activity which ought to be continued, particularly under the economic conditions of the housing industry today. As a matter of fact, the \$264 million contract authority would probably build about 215,000 units throughout the United States.

So, within the amount of \$550 million that the gentleman from Illinois proposes for rescission, \$264 million is in contract authority for homeownership assistance under the 235 program. So, the Members here can make their own judgment as to whether he or she believes that this program ought to be killed.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Chairman, is it not true, however, that the Banking and Currency Committee last year, because it felt that there had been so many failures in the 235 program, agreed to phase it out just for that reason? As the gentleman himself said, there is great doubt as to whether the program should be continued, especially because it is not producing housing for low-income people.

Therefore, I wonder why my good colleague from Massachusetts is so insistent in eliminating dollars for this program that has proven to be such a failure. It is not providing housing for low-income people.

Mr. BOLAND. Mr. Chairman, there could be an argument made on either side with reference to whether or not it is providing housing for low-income people. It is the judgment of the committee that it has provided housing for low- to moderate-income people. Reservations for more than 487,000 housing units have been made. Today more than 438,000 housing units have been insured under the 235 program.

There have been some problems with it, as the gentleman so well knows from serving on the Banking and Currency Committee. We have not had much experience to date on what the default rate might be in this area. This program is only about 5 or 6 years old. However, the fact of the matter is that we have built hundreds of thousands of units under the program, and it has been a successful program in many areas.

The subcommittee which I chair has investigated and monitored the administration of this program. There have been some serious problems which we have pointed out. The investigative staff on the Appropriations Committee pointed them out as early as 1971 before any of the scandals occurred. The fact that cannot be denied, however, is that the section 235 program has worked well in many areas and has provided substan-



tial housing to a great number of people in the low- to moderate-income areas.

My argument is that because of the seriousness of the depression in the housing industry, where housing starts declined to 1,352,000 in 1974, and dropped to a seasonally adjusted annual rate of only 874,000 starts in December, this is an area in which the administration could very well make use of this program. It is a program that could be resurrected, and the faults the committee has been concerned about might very well be corrected if the program is continued.

AMENDMENT OFFERED BY MR. CONTE TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MICHEL

Mr. CONTE. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. CONTE to the amendment in the nature of a substitute offered by Mr. MICHEL: On page 4 of the amendment offered by Mr. MICHEL, strike lines 10 through 18 (all of chapter III).

(Mr. CONTE asked and was given permission to revise and extend his remarks.)

Mr. CONTE. Mr. Chairman, I certainly am not going to take my 5 minutes. In fact, I should not take any time at all, because my colleague from the Second District of Massachusetts proved my case.

There is a need for stimulation in our housing market today. There have been all kinds of plans here in the Congress, like giving interest exemptions to the holders of savings accounts. There have been all types of projects proposed here to try to stimulate the housing market, which is very badly depressed at the present time.

As the gentleman from Massachusetts has said, this could provide 150,000 housing units and housing starts, which would be a great stimulus to the economy. I agree with the gentleman from California in his remarks. I read the hearings conducted by the gentleman from Massachusetts, and there have been some very serious abuses in this program.

I think as a result of the investigation held by the staff of the committee of the gentleman from Massachusetts that these abuses have been corrected. This will provide somewhat of a transfusion to the housing market. I agree with the gentleman from Illinois. I do not feel the committee has gone far enough with rescissions, but I feel in this case that this is a worthwhile program and we ought to retain it.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. CONTE. Mr. Chairman, I yield to my good friend from Massachusetts.

Mr. BOLAND. Mr. Chairman, I support the amendment offered by the gentleman from Massachusetts. As I indicated, this recommendation came up as a deferral. As all of the Members realize, under the Congressional Budget and Impoundment Control Act of 1974, a deferral is used when some possible future

of the money is intended. So the administration apparently gave some consideration to the thought that, perhaps, this is a program that might very well be carried on if the housing industry suffered any greater depression.

Mr. Chairman, I think no one could stand here and argue that the housing industry is in very good shape. With new housing starts down to a seasonally adjusted annual rate of only 874,000 starts in December, all of us recognize the fact that this is a disastrous situation for the industry. It is a terribly important factor in the economic health of the United States. It would seem to me that the wise course here would be to adopt the amendment of the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I think the gentleman from Massachusetts makes an excellent point. This is contract authority, and if the administration does not want to avail itself to the contract authority, it does not have to. I urge my colleagues to vote for the amendment.

Mr. STRATTON. Mr. Chairman, I move to strike the last word. I rise in opposition to the amendment in the nature of a substitute offered by the gentleman from Illinois primarily because of what it does in the field of Defense Department aircraft.

This amendment is well motivated. The idea is to save money, the idea is to help balance the budget. But I am not sure that many Members realize that by striking out funds for the F-111 aircraft we would actually be creating a situation in which the Department of Defense, either this year or next year, will be committed to spending far more for bomber airplanes than it would have to do if the FB-111 aircraft is continued as a possible alternative to the B-1.

What is important about the F-111 aircraft, which is included in this rescission, is an alternate plane to the costly B-1 bomber, which the Air Force and the Pentagon have been trying to sell to the Congress and trying to sell to the American people and trying to sell to the House Armed Services Committee for a long, long time.

The message today, if Members had an opportunity to sit in on the open hearings of the House Armed Services Committee under the chairmanship of our distinguished colleague from Illinois (Mr. PRICE), is that the Armed Services Committee itself now has very grave doubts about the feasibility of the B-1 as the new bomber in our triad in the nuclear deterrent field. The cost of the B-1 is now up to \$84 million a copy and may well run to \$100 million a copy.

The Air Force wants 249 of them, and that means that the entire program will cost \$25 billion for a single weapons system. And we are going to be committed to that plane and to that costly program, regardless of what happens unless some alternative to the B-1 continues to be available.

That alternative is known as the FB-111, the FB-111H, to be exact. But to have that alternative available, and to have it available at about one-third or

one-quarter of the cost of the B-1, we must keep the current F-111 production line open for 1 additional year.

That is precisely what the Committee on Armed Services agreed to last year. It is also what the Committee on Appropriations agreed to. Unfortunately, this is what the President has requested be rescinded.

So, in sum, if we really believe in economy, then it makes sense to keep this cheap alternative aircraft available until we have to make the final production decision on a new bomber, which will probably not be until next year.

But if we go along with this rescission and kill the FB-111, we will have no alternative at all when the time comes, and we will be forced to vote for a \$100 million bomber; and I do not think that makes any sense.

Mr. MICHEL. Mr. Chairman, I rise in opposition to the Conte amendment.

Mr. Chairman, the amount of money involved here is \$264 million in contract authority for the Department of Housing. That makes up more than half of the total of my amendment.

I am disturbed about that, naturally, but more so because frankly, when one talks to people in private, they tell us that that \$264 million is not going to be spent anyway. There was testimony before the liberal-dominated Committee on Banking and Currency that there is 40 percent fraud in that 235 program. That is why they are phasing it out. That is why there is not going to be a program.

Therefore, why ante up the money? We have a good opportunity here to make amends all the way around, and I have to speak out in opposition to the amendment because of the chance here to save ourselves an additional \$545 million, which would be done with my substitute.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. CONTE) to the amendment in the nature of a substitute offered by the gentleman from Illinois (Mr. MICHEL).

The amendment to the amendment in the nature of a substitute was rejected.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Illinois (Mr. MICHEL).

The question was taken; and the chairman being in doubt, the committee divided, and there were—ayes 35, noes 35.

#### RECORDED VOTE

Mr. MICHEL. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 127, noes 268, not voting 37, as follows:

[Roll No. 25]

AYES—127

|                  |             |               |
|------------------|-------------|---------------|
| Anderson, Calif. | Blanchard   | Clawson, Del. |
| Anderson, Ill.   | Brown, Ohio | Cleveland     |
| Archer           | Broyhill    | Cochran       |
| Armstrong        | Burgener    | Cohen         |
| Ashbrook         | Butler      | Collins, Tex. |
| Bafalis          | Byron       | Conable       |
| Bauman           | Carter      | Conlan        |
| Beard, Tenn.     | Cederberg   | Conte         |
| Bennett          | Clancy      | Coughlin      |
| Blester          | Clausen,    | Crane         |
|                  | Don H.      | Derwinski     |



Devine  
Duncan, Tenn.  
du Pont  
Edwards, Ala.  
Emery  
Fensterberg  
Fitzhugh  
Forsythe  
Frenzel  
Freely  
Gibbons  
Goldwater  
Goodling  
Gunderson  
Grassle  
Gruen  
Hagedorn  
Hammer  
Hammitt  
Hansen  
Harsha  
Hastings  
Hechler, W. Va.  
Heckler, Mass.  
Heinz  
Hillis  
Hinsch  
Hutchinson  
Hyde  
Jarmar  
Jeffords  
Johnson, Colo.

Johnson Pa.  
Kasten  
Kemp  
Ketchum  
Kindness  
Krueger  
Lagomarsino  
Landrum  
Latta  
Lent  
Lujan  
McClary  
McCollister  
McDade  
McDonald  
Madigan  
Martin  
Mathis  
Mazzoli  
Michel  
Miller, Ohio  
Moore  
Mosher  
Mottl  
Myers, Ind.  
Myers, Pa.  
O'Brien  
Pressler  
Pritchard  
Quile  
Quillen  
Regula  
Rhodes

## NOES—268

Abdnor  
Adams  
Addabbo  
Alexander  
Ambro  
Andrews, N.C.  
Andrews, N. Dak.  
Ashley  
Aspin  
AuCoin  
Badillo  
Baldus  
Baucus  
Bedell  
Bergland  
Bevill  
Biaggi  
Bingham  
Bloun  
Boggs  
Boland  
Bolton  
Bonker  
Bowen  
Brademas  
Breaux  
Breckinridge  
Brinkley  
Brodeur  
Brown, Calif.  
Buchanan  
Burke, Calif.  
Burke, Mass.  
Burlison, Mo.  
Burton, Ohio  
Burton, Phillip  
Carney  
Carr  
Casey  
Chisholm  
Clay  
Conyers  
Corman  
Cornell  
Cotter  
D'Amour  
Daniel, Dan  
Daniel, Robert  
W. Jr.  
Daniels  
Dominick V.  
Danielson  
Davis  
de la Garza  
DeLoach  
Bellums  
Dent  
Derrick  
Dickinson  
Diggs  
Dingell  
Dodd  
Downey  
Downing  
Drinan  
Duncan, Greg.  
Early  
Eckhardt

Robinson  
Rogers  
Rousselot  
Runnels  
Rupke  
Schneebeli  
Schulze  
Sebelius  
Sharp  
Shriver  
Shuster  
Simon  
Skubitz  
Smith, Nebr.  
Snyder  
Spence  
Steelman  
Steiger, Ariz.  
Steiger, Wis.  
Stuckey  
Symms  
Talcott  
Thone  
Treen  
Vander Jagt  
Wampler  
Wiggins  
Wilson  
Charles H.  
Calif.  
Winn  
Wylder  
Wylie

Rodino  
Roe  
Roncalio  
Rooney  
Rose  
Rosenthal  
Roush  
Roybal  
Russo  
Ryan  
Santini  
Sarasin  
Sarbanes  
Satterfield  
Scheuer  
Schroeder  
Seiberling  
Shipley  
Sikes  
Sisk  
Slack  
Smith, Iowa  
Solatz

Spellman  
Stanton  
J. William  
Stanton  
James V.  
Stark  
Steed  
Stephens  
Stokes  
Stratton  
Studds  
Sullivan  
Symington  
Taylor, N.C.  
Teague  
Thompson  
Thornton  
Traxler  
Tsongas  
Udall  
Ullman  
Van Deertin  
Vander Veen

Vanik  
Vigorito  
Waggonner  
Weaver  
Whalen  
White  
Whitehurst  
Whitten  
Wilson, Bob  
Wilson,  
Charles, Tex.  
Wirth  
Wolf  
Wright  
Yates  
Yatron  
Young, Alaska  
Young, Ga.  
Young, Tex.  
Zablocki  
Zeferetti

## NOT VOTING—37

Abzug  
Annunzio  
Barrett  
Beard, R.I.  
Bell  
Brooks  
Broomfield  
Brown, Mich.  
Burke, Fla.  
Burleson, Tex.  
Chappell  
Collins, Ill.  
Cushman  
Eshleman

Minish  
Moorhead,  
Calif.  
Murphy, Ill.  
Murtha  
Rostenkowski  
St Germain  
Staggers  
Taylor, Mo.  
Wash  
Waxman  
Young, Fla.

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

## OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

Appropriations provided under this head in the Department of Defense Appropriation Act, 1975, are rescinded in the amount of \$250,000, to be derived from the sum provided only for maintenance of real property facilities.

## AMENDMENT OFFERED BY MR. CONTE

Mr. CONTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONTE: On page 4, following line 10, insert the following:

## AIRCRAFT PROCUREMENT, AIR FORCE

Appropriations provided under this head in the Department of Defense Appropriations Act, 1975, are rescinded in the amount of \$122,900,000, to be derived from the sum provided for the procurement of 12 F-111F fighter/bomber aircraft.

(Mr. CONTE asked and was given permission to revise and extend his remarks.)

Mr. CONTE. Mr. Chairman, I rise in support of my amendment to rescind \$122.9 million from funds appropriated for the procurement of 12 F-111F aircraft for the Air Force.

Mr. Chairman, this rescission bill represents, for this Congress, the first major test of the promise of fiscal responsibility given to the people of this country when we passed the Congressional Budget and Impoundment Control Act of 1974. I fear that this bill fails that test, but my amendment is one step which might help it achieve a passing grade.

In the committee bill, we are being asked once again to endorse additional procurement of F-111F fighter-bomber aircraft, despite the repeated protestations of the Air Force and the Defense

Department that current force levels are sufficient.

The Air Force currently has 66 of these aircraft, a number which it considers sufficient to provide a strategic force mix which is capable of deterring any possible attack.

The Air Force and the Defense Department have not requested an increase in their F-111F force for the past 4 years. In those years, however, the Congress has added funds to the Defense appropriations bill to cover limited production of the F-111F, largely at the insistence of some members of the committee.

Those who favor additional procurement of the F-111F cite the fact that no firm decision has been made on the B-1 bomber. They say that until we know what kind of strategic force we are going to work toward, we should keep the F-111F production lines warm.

Certainly the question of the B-1 is still a matter of controversy, but it is one which is not particularly relevant to the point under discussion here.

In the debate on the Defense appropriations bill last August 6, the gentleman from Iowa (Mr. Gross) correctly pointed out that "the F-111 is not the B-1 and never could be the B-1." And the distinguished chairman of the Appropriations Committee (Mr. MAHON) agreed with him.

I think that the important point which ought to be the focus of our debate here is that further production of the F-111F is simply not necessary. The Defense Department does not want any more of them, the Air Force does not want any more of them, and the administration does not want any more of them.

On more occasions than I can recall, this Congress has been accused of being a rubberstamp for the Defense Department and its requests. Yet here we are, giving the Defense Department more than it has asked for.

Mr. Chairman, you know that I would never offer an amendment of this sort if I thought that it would have a detrimental effect upon our national defense effort. I am a firm believer in necessary defense expenditures.

All I am doing with my amendment is cutting \$122.9 million of waste and fat from the Defense budget, money which the Air Force itself has said is unnecessary.

Mr. Chairman, you know that I sometimes hesitate to accept the word of the Pentagon when they tell us how much money they need. I have found that too many times they tend to overstate their case, and ask for more than they actually need. Given this tendency among those who prepare the budgets for the Pentagon, I am inclined to believe, and I think my colleagues will agree, that if the Pentagon says it does not need any more of a particular plane, they really do not.

Mr. Chairman, I am sure that I do not have to remind you and my colleagues of the inflationary impact which these wasteful military expenditures have on our economy. Defense spending is extremely inefficient relative to other types of Government spending in creating jobs. And by not producing things which con-



sumers can buy, military spending of this sort leads to the classic "too much money chasing too few goods" type of demand-pull inflation.

This is the first opportunity which the 94th Congress has had to come down four-square against wasteful spending. It could set the tone for the year to come in dealing with our economic crisis. It should be clear to all that we cannot solve our problems by appropriating unnecessary funds; that will only make the problems which we do face worse.

Mr. Chairman, I believe that we can demonstrate our fiscal responsibility by voting for my amendment. These planes are unnecessary, they cost about \$20 million each to produce, and further production will not increase our national security one iota.

Over the past 4 years nearly \$550 million has been appropriated for the procurement of this plane, a plane which the Air Force does not want. Mr. Chairman, the time has come to end this madness.

I urge my colleagues to support this amendment.

SUBSTITUTE AMENDMENT OFFERED BY MR. CHARLES H. WILSON, OF CALIFORNIA, FOR THE AMENDMENT OFFERED BY MR. CONTE

Mr. CHARLES H. WILSON of California. Mr. Chairman, I offer a substitute amendment for the amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. CHARLES H. WILSON, of California, for the amendment offered by Mr. CONTE: Page 4, after line 10, insert the following:

#### AIRCRAFT PROCUREMENT, ARMY

Appropriations provided under this head in the Department of Defense Appropriation Act, 1975, are rescinded in the amount of \$5,700,000.

#### AIRCRAFT PROCUREMENT, AIR FORCE

Appropriations provided under this head in the Department of Defense Appropriation Act, 1975, are rescinded in the amount of \$152,500,000 (of which \$122,900,000 is to be derived from the sum provided for the F-111F contract and \$29,600,000 is to be derived from the sum provided for the A-7D contract).

Mr. CHARLES H. WILSON of California. Mr. Chairman, I rise to offer an amendment to rescind budget authority from aircraft procurement for the Army—\$5.7 million for the UH-1H helicopter, and aircraft procurement for the Air Force of \$152,500,000 of which \$122,900,000 from the F-111F contract and \$29,600,000 from the A-7D contract.

I respectfully disagree with the distinguished chairman of the Appropriations Committee, Congressman MAHON, in his committee decision not to go along with the President's recommendation that this program is no longer needed and as such be a rescission under the Budget Control Act. Instead, the committee is asking today that its obligatory authority as evidenced in Public Law 93-347, the Defense Appropriations Act for this current fiscal year, be continued.

I strongly feel my amendment should be supported and included in the final rescission bill for the following reasons. First and foremost, and I quote from page 28 of President Ford's message of January 30, 1975:

These items were not requested by the Air Force, not included in the President's 1975

budget, and are considered marginal in light of present and projected aircraft inventory.

I urge my colleagues to seriously reflect on that statement. The Appropriations Committee is asking today that we continue a program that both the Department of the Air Force and Army and the President have stated in unnecessary. Thus, the continuance of this program cannot be justified on grounds of national defense and security.

What then, you may ask, are the reasons this program is being continued?

I would submit that naturally the Texas delegation wants to see defense contracts continued to be performed in Texas in light of the fact that the companies that build the F-111, General Dynamics, and the Bell Co., which produces the UH helicopter are both located in Texas.

However much I recognize the need for jobs in our aerospace industries, I cannot myself, nor should any other Congressman, vote for the continuation of this project or any project purely as a public works program. The key question should be whether it is essential to our Nation's defense. As I stated earlier, it is not. It is worth mentioning that the unemployment rate in the Dallas-Fort Worth area is approximately 3½ percent—far below the current national average. Unemployment figures in the Los Angeles-Long Beach area are 7.9 percent.

Nor do I feel a program should be continued because of the high "sunk" costs already in them or the expense to terminate them. If we follow this reasoning, all we would have left in defense arsenal is bloopers.

The committee states that if the rescission on the F-111 is approved, "approximately \$80 million for the most part will have been wasted." Yet, if the total \$205.5 million as appropriated is spent this fiscal year, it is not possible that we may find next year that the plane is not meeting our needs, and that over \$200 million would have been spent? I suppose next year we will hear that the F-111 should be continued because over \$200 million of "sunk" costs are in it.

It is time to admit that the F-111 aircraft has just not performed as its company stated it would. The dismal record in Vietnam and the cost overruns of the F-111 are well known and documented.

Aside from the fact the F-111's, the A-7's and the UH helicopters are not needed for defense is the need for the Congress to curtail unnecessary spending in this period of recession and rapid inflation. The time has finally come to critically assess each program—whether defense or foreign aid—to ascertain whether it is performing.

Mr. Chairman, for the reasons stated above, I urge my colleagues not to continue funding for the nonessential F-111's, A-7's, and UH helicopters and to vote for my amendment to include them in the rescission bill being considered today.

Mr. STRATTON. Mr. Chairman, I rise in opposition to the amendment offered as a substitute for the amendment offered by Mr. CONTE.

Mr. Chairman, this amendment is like

the cat with nine lives. We shot it down a moment ago, and now it is up here again. In fact we have had it before us on a number of occasions, and it seems that all kinds of efforts are being again made to confuse the issue, and hope that an overall desire for economy in defense spending will prevail.

But if we are really interested in economy in defense, as I said a moment ago when we were discussing the Michel amendment, this is not the way to go.

Instead the Conte amendment is the way to get ourselves committed to spending a lot more money. This amendment offered by the gentleman from Massachusetts (Mr. CONTE), with the few embellishments added by the gentleman from California (Mr. CHARLES H. WILSON), is designed to eliminate the F-111 aircraft.

But if we eliminate the F-111 aircraft, we either commit ourselves to a B-1 bomber at \$100 million a copy, or else we will have to eliminate the Strategic Air Command and go out of business as far as strategic bombers are concerned.

Mr. Chairman, let us make no mistake about it, the gentleman from California has taken literally remarks of the Air Force that were really offered in jest, just tongue in cheek. Why the B-52 is not even being produced. It is obsolete; it is out of date. They could not even resurrect it. To suggest seriously that we would want the B-52 as our bomber of the future is ridiculous and absurd and incredible and the Air Force knows it. Either we have an alternative to the B-1 or else we are committed to it irrevocably. Or, of course, we can just put an end to the Strategic Air Command. That is the basic issue. It is as simple as that.

Of course the Air Force does not want the F-111. Of course the Air Force did not come in and ask for any more F-111's. Why? Because the big bomber boys have gotten themselves tied up, not only emotionally but scientifically, with the idea of a big bomber. The B-1 is their dream bomber, and they are going to get it come hell or high water, even if it costs \$100 million a copy. And they regard the FB-111 as a grave threat to the future of the B-1.

Some Members may not have been in the Chamber when I made some earlier remarks on this same subject. But the Air Force wants 249 of these B-1's, and that makes a total of \$24.9 billion for just one weapons system.

Well, the Committee on Armed Services of the House, the Committee on Armed Services of the Senate, the Committee on Appropriations of the House, and the Committee on Appropriations of the Senate, all of them for the last 2 years have said, "No, we do not want to be locked into that kind of an expenditure. We want some viable alternative to the B-1."

That viable alternative is the FB-111, which is virtually the same as the F-111. In fact, today we have a stretch version of the FB-111. It is the FB-111H—and it will do almost everything that the B-1 can do but it will cost only about one-third or one-quarter of the cost of the B-1. But the only way we can have that



alternative in 1976 and have it economically. Is to keep this F-111 production line open for another year. That is what this \$129 million is designed to do, and that is all. It is good, sound insurance for the future.

So if we want to avoid having to vote for an aircraft that is now listed at \$84 million a copy, but may well go to over \$100 million a copy, and if we share some of the doubts that Armed Services Committee members have been raising in the course of our hearings over the last week, then for heaven's sakes let us keep this production line open, because thereby we could save the American people millions and millions of dollars without degrading our defenses at all.

As a matter of fact this vote represents an opportunity for Congress to have some say in what happens with our defense. We do not have to be a rubber stamp for the Pentagon; we do not have to have a knee-jerk reaction to whatever the "big bomber" generals want.

Congress told the Navy a long time ago to build a fleet of Polaris submarines. And at first we had to drag them, kicking and screaming, into accepting the idea of the Polaris submarine. We can be mighty glad today that Congress took the lead, made the decision, and today we have that Polaris submarine fleet.

Mr. Chairman, we can and should do exactly the same thing here. Let us turn down the Conte amendment and keep this line open.

Mr. EDWARDS of Alabama. Mr. Chairman, I rise in opposition to the amendment and the substitute.

Mr. Chairman, I think it is important for us to reflect on the rescission bill that is before us.

There is only \$120 million in there that the committee has approved, and \$60 million of that \$120 million comes out of the Defense budget. I do not think that that ought to be overlooked.

The Defense Subcommittee has faced up more squarely to the rescission process than any other subcommittee of the Committee on Appropriations.

As far as the F-111 is concerned, I am not going to throw the B-1 at the Members. I am going to talk purely from the standpoint of economics.

If we are going to attack the F-111, we should have done it last year. It should have been knocked out last year.

Here we are in March, virtually in March of 1975, with obligations in the amount of \$72 million. If we cut this out right now, rather than ending up with 12 planes, we are going to end up with a bunch of wings and tails and wheels and spare parts and nothing else. It is penny-wise and pound-foolish at this time to try to scrub that operation for these 12 planes.

The same is more or less true with the Huey helicopter. If we stop now, we end up with nothing but spare parts.

As to the A-7D, if we stop now, we end up with nothing but spare parts. There is a crying need in the Air National Guard to make use of the A-7D.

I want to point out to the Members, and I think this is important, the F-111 has been a controversial plane, and it is true that the military has not been asking for it. We faced up to that, in a way,

in our committee at the beginning of the year.

In the conference report for the 92d Congress on the Defense bill, there is this quote, and I would like to read it. It is on page 22 of the conference report:

The conferees agreed to the appropriation of \$205,500,000 for 12 F-111's aircraft, as proposed by the House, and the deletion of the \$15 million proposed by the House for advanced procurement. The conferees do not intend to provide any further funds for this program unless it is sufficiently justified by the Congressional committee.

What that means now is that we are in the process of an orderly termination of the F-111 contract. We are in the process of an orderly phase-down, under the conference report, of that line. When these 12 planes are completed, there will not be any more planes unless the administration comes over here and makes a case for building more of those planes.

Therefore, Mr. Chairman, I think it behooves this House—at this time—not last November or last October or last September—at this time it behooves this House to continue those operations and see this through. If we made a mistake a year ago, so be it. This is not the time, now, to terminate those contracts.

Mr. ADDABBO. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. Surely, I yield to the gentleman from New York.

Mr. ADDABBO. Is it not a fact that if we terminate the contract right now, it would cost over \$100 million to terminate the contract and we would get absolutely nothing for it?

Mr. EDWARDS of Alabama. The gentleman is correct. We have already obligated \$72.2 million on the F-111. Termination costs estimates are \$10.4 million. Assuming we can hold the line on all of that, we would end up spending \$82.6 million and have nothing to show for it, just for the F-111.

Mr. ADDABBO. We would get the 12 planes for this money and in the meanwhile, would it give us a chance to make a final determination on the B-1 or F-111?

Mr. EDWARDS of Alabama. The gentleman is correct, but I wish to make the point again that I do not hold the B-1 hostage in any way in my argument.

I say that we ought to see this through, because of what we have already done, and then end it. Whatever happens to the B-1, as far as I am concerned, has no bearing on the F-111.

Mr. ADDABBO. Mr. Chairman, I join with the gentleman from Alabama in the remarks that he has made, and oppose the amendment.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, the gentleman from Alabama is not exactly right. I had heard the rumors going around the House, and I called up Col. Robert Alexander, and he told me that none of the \$122.9 million which was being proposed for rescission has been obligated.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent. Mr. EDWARDS

of Alabama was allowed to proceed for 2 additional minutes.)

Mr. EDWARDS of Alabama. Mr. Chairman, I must say that the gentleman from Massachusetts must have misunderstood what I said. I did not say that the \$122.9 million had been obligated.

Mr. CONTE. Let us get the record straight. The rumors have been going around that if we won this amendment we would not get any planes for it. The facts are that the \$122.9 million would revert back to the general Treasury.

Mr. EDWARDS of Alabama. That is right.

If I may be permitted to restate my statement, it is that \$72.2 million has been obligated and another \$10.4 million would be spent on termination, which would mean we would have expended \$82.6 million, leaving \$122.9 million, which is the subject of the gentleman's amendment, unobligated and unexpended; that is correct.

Mr. CONTE. And that would revert back to the U.S. Treasury.

Mr. EDWARDS of Alabama. And we would not get the 12 planes we are expecting to get.

Mr. STRATTON. If the gentleman would yield, my understanding is that this money that may not yet have been obligated is intended to continue production of the F-111F for about another 11 to 18 months. We were informed at the beginning of this year that a decision on whether to go into production on the B-1, has been deferred until 1976. So this money, although it may not have been obligated as yet, is intended to keep the F-111 line going for another year or year and a half until we get to the point where we will have to make that decision on the B-1. I think it makes a lot of sense.

Mr. EDWARDS of Alabama. Mr. Chairman, I cannot include the gentleman's argument as to the B-1 into my argument. I simply want to see the 12 planes finished in an orderly way, and the contract terminated in an orderly way. The only way we can do that is to see the program through.

The CHAIRMAN. The time of the gentleman has again expired.

(By unanimous consent. Mr. EDWARDS of Alabama was allowed to proceed for 2 additional minutes.)

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I think we should make the record clear.

Can the gentleman tell me, or can the chairman of the Committee on Appropriations tell me how many tankers we will have to build to supply the F-111F?

Mr. EDWARDS of Alabama. Insofar as air tankers are concerned, I would have to yield to someone who would have that information.

Mr. CONTE. You have got to keep tankers up there for refueling purposes.

Mr. MAHON. Mr. Chairman, if the gentleman would yield, I would say that no additional tankers would be required.

The question is whether we want 12 airplanes or whether we want spare parts and junk for the \$205 million.



Mr. CONTE. I just asked the gentleman the question as to whether we need any further air tankers. The spare parts will be used by the 66 planes that have already been built. We all know that. This is not for junk. It is to keep some people working down there, and we know where.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. GIAIMO. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

(Mr. GIAIMO asked and was given permission to revise and extend his remarks.)

Mr. GIAIMO. Mr. Chairman, I am opposed to the substitute offered by the gentleman from California (Mr. HINSHAW) and I most certainly oppose the original amendment offered by the gentleman from Massachusetts (Mr. CONTE).

Mr. Chairman, I would like to address myself to the question of the F-111F. I would like to urge and encourage those of my colleagues who are perhaps thinking that this is their first chance to vote for some savings in the Defense Department to please not be carried away. It may sound good, but this is not the place to do it. I promise you that we will give you plenty of places in which to cut spending or save money.

This is \$122 million. I am telling the Members right now there is about \$500 million, I am sure, in the defense budget for the Safeguard ABM program which, in my opinion, is worthless, utterly worthless. We could not get it out last year; I hope we can do it this year.

There are lots of areas where we can save some money, but let us not get carried away. We are told that the Air Force has not asked for this money, and they have not. For years they have known that they had very powerful protectors in this Congress from certain parts of the United States, who shall go unnamed. But this is a good airplane, and the reason, in my opinion, why they are not asking for funds for this airplane is because it is involved with the B-1 bomber.

We are talking about bombers. We are talking about supersonic bombers. B-52's are not supersonic. The United States is going to have to make a decision. Are we going to have a supersonic bomber, a low-level bomber, that can fly at several hundred feet under the radar screen at supersonic levels and go in? We have none except for the FB-111.

We are thinking right now of perhaps going to the B-1—that is where the Air Force wants us to go—at a minimum of \$100 million an airplane. Think of it! The Members and I are going to have to decide and determine whether we are going to build the B-1 bomber at a minimum of \$100 million. With escalating costs and underestimations constantly before us, I have no doubt it will be much more. We can say no to the B-1—and we may well do that—and if we do, then it is important that we have a medium-range supersonic low-flying bomber. We have one. We have one in existence, and contrary to much of the

debate and discussion about it over the years, it is one of the finest airplanes in the inventory. It costs in the neighborhood of \$20 million, not \$100 million.

So what are we saying to everyone? We are saying, Let us put in this money, especially since, as the gentleman from Alabama tells us, we are going to waste at least \$80 million of it in termination costs on contract costs and get nothing. Let us vote this money. Let us keep this production line warm at a minimum 12 airplanes so that we will have in effect a medium-range-bomber capability, a supersonic capability in the late seventies and eighties. Then we will have a greater flexibility in exercising our decisions and our options as to whether or not to go for a very expensive, long-range heavy bomber—the B-1.

I plead with the Members, do not be carried away by what sounds like an easy way to save some money in the defense budget. There are many other more valid areas where we can save money in the defense budget, and we will do it.

Mr. ASPIN. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Wisconsin.

(Mr. ASPIN asked and was given permission to revise and extend his remarks.)

Mr. ASPIN. Mr. Chairman, for 3 consecutive years the Congress has required continued production of the F-111 aircraft even though the Pentagon did not request funds to build them.

Similarly, for the last 3 fiscal years, the Department of Defense has not requested funds for the A-7D aircraft and the Congress led by our colleagues from Texas have also insisted on spending more than the Pentagon requests.

On November 26, 1974, the President requested the rescission of \$248 million of the \$305.6 million appropriated for fiscal year 1975 for 12 F-111's and 24 A-7D's. President Ford resubmitted his rescission proposal on January 30 with amendments and lowered the requested rescission for the F-111's and the A-7D's to \$152.5 million.

The Appropriations Committee has decided to reject the President's proposed rescission for the F-111's and the A-7D's.

I thought the White House and Pentagon might be serious about trying to reinstate this rescission. Many people agree it is a dumb idea to buy more F-111's and A-7D's and the President says he is serious about cutting the excessive Government expenditures. So I asked my staff to check with the White House and the Pentagon to offer our assistance in an attempt to put the rescission back in the bill.

The White House did not call back.

The Pentagon did return my staff's phone calls. "Yes," they told my staff, "we are still for the rescission." But, they went on to agree with the assertion by the House Appropriations Committee that if the rescission were approved, \$153.1 million would have already been spent and we would not receive any of the 36 planes. In short, for the expenditure of \$153.1 million we would receive a few spares and wings but no aircraft.

Apparently, both the Air Force and the contractor figured out that this program could be subject to a rescission or impoundment. The money for the two programs became available on July 1, 1974. By November 26, 1974, when the President asked for the rescission of \$248 million for the planes the Air Force had already spent \$57.6 million. Similarly, between the President's original submission on November 26, 1974 and in his resubmission on January 30, the Air Force and the contractor managed to spend another \$95.5 million or a total of \$153.1 million.

It is more than a little suspicious when a procurement account is good for 3 years that the Air Force has managed to spend in 7 months \$153.2 million of a program whose total cost is \$305.6 million.

Mr. Speaker, the President is playing a cute little shell game with the Congress. When the Congress rejects this kind of rescission, he is in a perfect political position to campaign in 1976 against a fiscally irresponsible Congress.

Furthermore, the President can allege that he fought wasteful military spending by his attempted rescission on the F-111's and A-7D's. The President leaves us with a very disconcerting decision. We can accept his rescission and waste \$153.1 million or we can reject his rescission and buy the unneeded aircraft.

Obviously, the President is not really interested in cutting defense expenditures. He is more interested in piling up ammunition for his 1976 Presidential race which will emphasize the irresponsibility of Congress.

Frankly, Mr. Chairman, the President has insulted our intelligence. I hope that the President will stop dealing in absurdities and start a serious effort to reduce unneeded expenditures, both inside and outside the Department of Defense.

Mr. JOHNSON of Colorado. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Colorado.

Mr. JOHNSON of Colorado. I thank the gentleman for yielding. Will the gentleman address himself to the question which was raised earlier by the gentleman from Massachusetts about the requirement for an expanded tanker force if the FB-111 is to be used for anything other than short-range missions? I have read and I have talked with Air Force officers, and that is where the information comes from, to the effect that if the FB-111 is to be used for any kind of range at all, it would require an enormously expanded tanker force, which would be very expensive. We do not have any figures on that expense. I do not know if this is true.

Mr. GIAIMO. I cannot respond to that question specifically. I am sure that there most likely would be some need for some additional tankers assigned to the FB-111. It would depend upon where it would be flying from. If it were used from European bases, for example, there would be a lesser degree of tanker capability, but I do think that is an area in which we already have many tankers that could be assigned.

Let me say this. It is the only bomber



that we will have of a modern vintage, because the B-52 just will not meet the requirements.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILFORD. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the Conte amendment.

(Mr. MILFORD asked and was given permission to revise and extend his remarks.)

Mr. MILFORD. Mr. Chairman, once again we are embroiled in whether to act toward long term goals—or short-sighted economies.

I am referring of course to the amendment offered by my distinguished colleague from Massachusetts which would stop production of strategic weapons.

Do you know what this production stoppage would do? It would cost the taxpayers of the United States at least \$55 million on just one aircraft alone. That is on stoppage of the LTV's A-7D attack fighter.

Last year the Congress appropriated \$100,000,000 for these combat-proven planes. By Saturday the Defense Department will have already spent \$65 million.

Do you know what it will cost the people to save the \$29.6 million? At least \$55 million. It will cost the Government \$5½ million just in termination charges. Then \$65 million on work already in process. Of that, perhaps \$15 million in parts can be salvaged for use in planes already flying.

In other words, the Government will have spent at least \$55 million for nothing.

And may I remind my distinguished colleagues of the intent of Congress when they ordered the 24 A-7D's.

The thought then was that as we decrease our active duty forces, the Air Force National Guard should be modernized and should be combat-ready as a trained defensive force.

With that goal in mind, Congress ordered the planes for the Air Force to turn over to the Air National Guard, to continue the modernization as started the year before.

Both the Air Force and the Navy have used this plane in combat. Over 900 of these versatile aircraft have been produced. With its computer-aided weapons delivery system, the A-7D excels in the mission of close air support and battlefield interdiction. It is the backbone of the Navy and will be such until the mid-1980's.

This aircraft is the best buy in combat aircraft today with a \$3.3 million-per-plane price tag.

At a time when we are vitally concerned with economizing, let us remember that we have an excellent plane at the lowest price possible today.

There is another fact to which I would like to call the attention of my colleagues. The latest model—more expensive, too—new production fighter/attack aircraft call for an air-to-ground weapons delivery system comparable to the A-7 aircraft.

That means that there has been no technological breakthrough in the air-

to-ground delivery systems to be incorporated in future combat aircraft which would tend to make this plane's equipment an obsolete system.

In other words, the air-to-ground delivery system of tomorrow can be purchased at a reasonable cost today.

Three guard squadrons have transitioned from the older F-100's to the more combat-able A-7D to date. One squadron received the last A-7D plane to fill its squadron requirement in December 1974. Only 38 days later, the squadron was judged combat ready.

The Air Force plans a slow transition of additional A-7D's to the Guard over the next several years as the A-10 is phased into active inventory.

Let us remember though that General Brown made this statement:

The U.S. tactical aircraft inventory has slightly, but steadily, declined over the past several years.

Furthermore the rate of deployment of the F-14, F-15, and A-10 will not equal the numerical attrition of older aircraft in the system.

Besides the consideration of the intent of Congress to modernize the Guard, it just does not make good economical sense to stop a production program mid-stream in order to save \$29.6 million at a cost of at least \$55 million, an expense for which the taxpayers will receive no benefit.

Another factor I would like to mention; the cutoff of this A-7D program alone would cut out 800 jobs for people now employed. Is that what we really want to do in this recession era?

Another vital defense program under attack today is the F-111 another combat-proven supersonic bomber, and there is no replacement for this aircraft on the immediate horizon. This line is the only supersonic bomber production line open in the United States today. It has been continued at minimal production, and should be continued.

While defense foes are whacking at defense production budgets, they are also trying to deprive the Army of the UH-1H helicopters. These are ones which represent a "pay back" to the Army for those losses caused during the Vietnam war years.

At a time when we are considering all kinds of make-work programs to employ the unemployed, it seems counter productive to unemploy even more in the aerospace industry by these cutbacks which overall will cost the Government—that is the taxpayer—\$62.6 million to save \$35.5 million.

I urge the Congress to remember its intent, frugality, and to abide by it.

Mr. PRICE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I need not take the 5 minutes because the last three gentlemen, the gentleman from Alabama (Mr. EDWARDS), the gentleman from New York (Mr. ADABBO), and the gentleman from Connecticut (Mr. GIAMMO) have used the very valid arguments that I intended to use in support of the F-111 and the A-7D, and in opposition to the pending amendments, the one offered by the gentleman from California (Mr. CHARLES H. WILSON)

and the one offered by the gentleman from Massachusetts (Mr. CONTE).

Now in answer to the question whether the additional tankers would be required, I can say categorically no, there is no requirement for additional tankers to meet the needs of the 12 new F-111's. This is almost just a replacement for the other F-111's taken out of our inventory for other purposes. It is such a fine aircraft that the Air Force finds many uses for it.

I would also like to answer the point raised by the gentleman from Massachusetts (Mr. CONTE) that it is not a requirement of the Air Force. As late as yesterday, the Air Force told our committee they want this additional squadron of F-111's.

I would like to point out in reference to the B-52, that no one would say the B-52 was not one of the finest aircraft built by American industry. It is—that is why it has lasted over 25 years. The first B-52 was put under contract in 1951, and the first delivery was about 4 years later. The newest B-52 is a fine bomber, based on the earlier vintage—and it still is doing a fine job—but the newest of these is about 10 or 12 years old. We do need additional bombers in our inventory. The newest and most modern one we have in being is the F-111.

I would also remind the members of the committee that the A-7D's in this bill, the two squadrons are actually not for the Air Force. They are for the Air Force National Guard in all the 50 States of this country. We have been seeking for years to modernize the National Guard, and our Reserve Forces. This is one of our efforts to do that. This is an idea, I will grant, of the committee, but the Air Force has gone along with that idea. If we knock out these two squadrons of A-7D's we are knocking out the best equipment we can possibly provide to the Air National Guard. I hope we will not take that action today.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Chairman, is the gentleman from Illinois saying that a vote for the amendment to knock out the A-7's would be an anti-National Guard vote?

Mr. PRICE. Yes, I would say it would be.

(Mr. SIKES asked and was given permission to revise and extend his remarks.)

Mr. SIKES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I oppose both amendments.

Adoption of the Conte amendment would mean no new F-111 aircraft. Approval of the Wilson amendment would mean no aircraft, period, no F-111's and no A-7's, and no helicopters.

I think everyone here who is knowledgeable about the military situation knows we need more first-line aircraft. Comparatively speaking we have very few. We have given away or sold many of our F-4 aircraft, which has been our first line fighter bomber aircraft for 15 years, many of them to Israel, and the F-15 is just beginning to come into inventory.



As the distinguished gentlemen who preceded me have pointed out, the procurement of F-111's provided in this bill is really only sufficient to replace inventory losses.

The A-7 is for the National Guard. Surely everyone here knows National Guard air units need more modern aircraft. Many planes intended for the Reserve components have for years been diverted either to Southeast Asia or to Israel.

I would like to point out to the Members that \$65 million will have been obligated as of March 1, 1975, for the A-7 procurement program.

If that should have to be cancelled as a result of the amendment, only \$15 million of the \$65 million already obligated can be used for spare parts for existing A-7D and A-7E aircraft in the Air Force and the Navy. That would result in a serious net loss, because the result would be not airplanes but largely unusable spare parts and junk; a net loss to the taxpayer of \$55 million. I do not think that would be a very good economy program.

It has been said here that the administration and the military did not ask for any of these aircraft. The facts are that under budget limitations the Air Force and the Navy were not allowed to ask for these aircraft, because they were not included in the administration's budget recommendations to Congress. But the Army did ask for more helicopters than this bill allows. The Army budgeted \$23.6 million for 128 helicopters in the fiscal 1975 program and Congress provided only \$18.5 million for 48 such aircraft; so the Army asked for more helicopters than are included in this bill.

Now, I reiterate. No additional tankers will be required for aircraft than would be acquired in this bill. We are talking about large contract termination costs if the Government must cancel contracts because of the adoption of these amendments. We are talking about the accumulation of a pile of junk and a few usable spare parts. By contrast we could get badly needed aircraft if the bill before you is approved.

[Mr. HINSHAW addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.]

Mr. MAHON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, a little background is appropriate at this time. Along about last October or November, the President of the United States made the statement that he advocated a surtax, and he advocated a balanced budget in fiscal year 1976. Of course, economic conditions have been such that he has drastically modified his position with respect to those matters, but at the time he was thinking about a balanced budget in 1976, the administration took steps to make some reductions in ongoing programs.

Generally speaking, they went through the entire budget and cut out programs that had been added by Congress, including the A-7 and the F-111 procurements. These aircraft had been approved by Congress but had not been recom-

mended by the administration in the fiscal year 1975 budget, so they were all proposed for rescission. Congress has a rightful voice in defense decisionmaking.

I called the Secretary of the Air Force today. I said:

Give me a little background with regard to this situation. What do you think of the F-111?

I do not quote him, but the F-111 is highly regarded by the Air Force as one of the finest, most modern planes in the whole free world today. It is a great plane.

I said:

Well, what was your recommendation with respect to this rescission?

He said, the Air Force was not consulted as to this rescission.

So, this throws considerable light on the situation. The absurdity of the amendment cutting out these defense weapons is made evident with respect to the UH-1 helicopter. The Army is asking for 48 UH-1 helicopters in the 1976 budget—48 helicopters in the 1976 budget. The rescission would cut out funds for the 48 UH-1 helicopters that are now in production. If defense officials want money for 48 UH-1 helicopters, why do they not go ahead with the program underway and then, if they want to cut the 48 UH-1's out of the 1976 budget, that would be a different situation.

It is an utterly untenable position to suggest that these 48 helicopters should be cut out now as a rescission item and then be restored in the regular fiscal year 1976 defense bill.

With respect to the Air National Guard A-7, the A-7 is a plane that the National Guard is eager to acquire.

It is one of the finest planes that could possibly be used for this purpose. We have tried to build a strong Reserve and National Guard because the regular forces have been reduced, and so we provide funds for the A-7D. I do not see where we make any mistake there.

The question with the F-111 is, do we want to get something for our money? We have financed with about \$205 million 12 additional F-111's. I would like for us to get something for it. But I have inquired, "Would we get one new F-111 if we rescind this money?"

Officials said, "No, you would not get one aircraft. You get a quantity of spare parts and scrap." Many of the spare parts would not be needed.

It would seem that this pending amendment is in a sense an antidefense amendment because it would deprive this country, in the dangerous world, of 12 additional highly effective planes.

I will not mention it as an antijob amendment, but the company that has the contract for the F-111 performs one-third of the work in Texas, and two-thirds of the work is done outside Texas. Nineteen percent is done in New York, 16 percent is in Connecticut, and 15 percent is in California. But regardless of where the jobs are, the purpose of the F-111 is national defense and not jobs.

As an incidental situation, it can be pointed out that, at a time when we are trying to prevent more dislocations, if

this amendment is adopted it would have tremendous repercussions from the standpoint of jobs.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from California (Mr. CHARLES H. WILSON) for the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

The substitute amendment for the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

The question was taken; and the Chairman announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. CONTE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 230, noes 164, not voting 38, as follows:

[Roll No. 26]

#### AYES—230

|                 |                 |                   |
|-----------------|-----------------|-------------------|
| Abdnor          | Ford, Mich.     | Matsunaga         |
| Adams           | Ford, Tenn.     | Mazzoli           |
| Anderson,       | Forsythe        | Meeds             |
| Calif.          | Frenzel         | Melcher           |
| Andrews,        | Frey            | Meyner            |
| N. Dak.         | Fuqua           | Mezvisky          |
| Armstrong       | Gaydos          | Michel            |
| Ashley          | Gibbons         | Mikva             |
| Aspin           | Gilman          | Miller, Calif.    |
| AuCoin          | Goldwater       | Miller, Ohio      |
| Badillo         | Goodling        | Mineta            |
| Baldus          | Gradison        | Mink              |
| Beard, R.I.     | Grassley        | Mitchell, Md.     |
| Bedell          | Green           | Moakley           |
| Bennett         | Gude            | Moffett           |
| Bergland        | Guyer           | Moore             |
| Blester         | Hagedorn        | Moorhead, Pa.     |
| Bingham         | Haley           | Mosher            |
| Blanchard       | Hamilton        | Mottl             |
| Blouin          | Hanley          | Myers, Ind.       |
| Bonker          | Harkin          | Myers, Pa.        |
| Bowen           | Harrington      | Neal              |
| Brademas        | Harris          | Nolan             |
| Brodhead        | Harsha          | Nowak             |
| Brown, Ohio     | Hastings        | Oberstar          |
| Broyhill        | Hawkins         | Ottlinger         |
| Buchanan        | Hayes, Ind.     | Patterson, Calif. |
| Burke, Calif.   | Hechler, W. Va. | Peyser            |
| Burton, John    | Heckler, Mass.  | Pressler          |
| Burton, Phillip | Heinz           | Pritchard         |
| Butler          | Helstoski       | Quile             |
| Carr            | Hillis          | Rallsback         |
| Cederberg       | Hinshaw         | Rangel            |
| Clancy          | Holland         | Rees              |
| Clausen,        | Holtzman        | Regula            |
| Don H.          | Howe            | Reuss             |
| Clawson, Del    | Hughes          | Rhodes            |
| Clay            | Hungate         | Richmond          |
| Cochran         | Hutchinson      | Riegle            |
| Cohen           | Jacobs          | Rinaldo           |
| Conable         | Jarman          | Rodino            |
| Conlan          | Jeffords        | Roe               |
| Conte           | Johnson, Colo.  | Rogers            |
| Conyers         | Johnson, Pa.    | Rooney            |
| Corman          | Karth           | Rosenthal         |
| Cornell         | Kasten          | Roush             |
| Coughlin        | Kastenuneier    | Roussellot        |
| Danielson       | Kemp            | Roybal            |
| Dellums         | Ketchum         | Ruppe             |
| Devine          | Keys            | Russo             |
| Dingell         | Kindness        | Ryan              |
| Drinan          | Koch            | Sarbanes          |
| Duncan, Oreg.   | Krebs           | Scheuer           |
| du Pont         | LaFalce         | Schneebeli        |
| Early           | Lagomarsino     | Schroeder         |
| Eckhardt        | Latta           | Sebelius          |
| Edgar           | Lehman          | Seiberling        |
| Edwards, Calif. | Levitas         | Sharp             |
| Ellberg         | Long, Md.       | Shriver           |
| Emery           | Lujan           | Shuster           |
| Erlenborn       | McClary         | Simon             |
| Esch            | McCollister     | Skubitz           |
| Evans, Colo.    | McDade          | Smith, Iowa       |
| Evans, Ind.     | McHugh          | Smith, Nebr.      |
| Fascell         | Macdonald       | Snyder            |
| Findley         | Madden          | Solarz            |
| Fish            | Madigan         | Spellman          |
| Fisher          | Maguire         | Stanton,          |
| Fithian         | Martin          | J. William        |



Chappell  
Collins, III  
Eshleman  
Ferwick  
Elmst



|           |              |              |
|-----------|--------------|--------------|
| Fountain  | Mills        | Rostenkowski |
| Fraser    | Minish       | St Germain   |
| Guyer     | Moorhead,    | Staggers     |
| Howard    | Calif.       | Taylor, Mo.  |
| Ichord    | Murphy, Ill. | Vanik        |
| Kelly     | Murtha       | Walsh        |
| Landrum   | Oberstar     | Waxman       |
| McCloskey | Pritchard    | Young, Fla.. |
| Metcalfe  | Risenhoover  |              |

So the bill was passed.

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Fountain.  
 Ms. Abzug with Mr. Mills.  
 Mr. Flynt with Mr. Risenhoover.  
 Mr. Fraser with Mr. Vanik.  
 Mr. Barrett with Mr. Young of Florida.  
 Mr. Rostenkowski with Mr. Walsh.  
 Mr. Howard with Mr. Anderson of Illinois.  
 Mr. Chappell with Mr. Moorhead of California.  
 Mrs. Collins of Illinois with Mr. Waxman.  
 Mr. Metcalfe with Mr. McCloskey.  
 Mr. Murphy of Illinois with Mr. Bell.  
 Mr. Murtha with Mrs. Fenwick.  
 Mr. St Germain with Mr. Guyer.  
 Mr. Minish with Mr. Broomfield.  
 Mr. Staggers with Mr. Eshleman.  
 Mr. Brooks with Mr. Brown of Michigan.  
 Mr. Landrum with Mr. Kelly.  
 Mr. Ichord with Mr. Burke of Florida.  
 Mr. Oberstar with Mr. Pritchard.  
 Mr. Burleson of Texas with Mr. Taylor of Missouri.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed, and that I may include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### REMUNERATION OF DIRECTOR OF OFFICE OF MANAGEMENT AND BUDGET

(Mr. TALCOTT asked and was given permission to address the House for 1 minute to revise and extend his remarks and include extraneous matter.)

Mr. TALCOTT. Mr. Speaker, today I am introducing legislation which will right a grievous wrong.

Several years ago the Congress acted to clip the wings of the last administration by passing legislation to require Senate confirmation of all future Directors and Deputy Directors of the Office of Management and Budget. This legislation was an attempt by the Congress to reassert the proper influence of the legislature in the operation of our Government.

As many Members know, over the years the functions of the Director of Management and Budget have become more and more complex. The Congress recognized this in passing the legislation I have mentioned by giving the Director full Cabinet-level status. This is only right since he already exercises full Cabinet-level responsibilities.

However, in our haste to chastise the last administration and the last Director

of the Office of Management and Budget we forgot to examine the question of remuneration.

As a matter of equity we should pay the Director at an equal level with other Cabinet officers. If the position is so important to call for Cabinet status, then the position should also call for Cabinet pay. My bill will amend the United States Code to allow the Director to receive Cabinet salary.

It is a matter of record that the President has called on a new man to take over the responsibilities of this position. The new Director, James T. Lynn, is a man with whom I have had the pleasure of working in recent years. He is a man dedicated to public service who has been General Counsel of the Department of Commerce, Deputy Secretary of Commerce, and then this Nation's third Secretary of Housing and Urban Development.

As Secretary of Housing he was paid at the Cabinet level. There was no question that he was worth every cent he received. But when the President of the United States called on him to move over and take over the Office of Management and Budget he also had to take a \$17,500 pay cut.

We in the Congress know that it is difficult to attract the best qualified men to Federal service. We know that many times the individual is not able to make the financial sacrifices that public service often entails. But here we have a highly qualified individual, a man who has proved his worth in a series of important posts, who has been asked by the President to continue in public service at a substantial individual sacrifice.

Mr. Speaker, I hope that the Congress will agree with me that this is a matter of equity which should be righted. It is not a question of the individual now in office, although he deserves relief, it is a question of equal pay for equal responsibility. I urge that this bill receive quick consideration and approval.

#### NEW FARM LEGISLATION HIGH ON PRIORITY LIST

(Mr. DE LA GARZA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DE LA GARZA. Mr. Speaker, it is of vital importance that this Congress place new farm legislation high on our priority list.

We enacted legislation in 1973 that included several protections for farmers against undue financial loss from collapsing prices for their products. But there have been many changes since that recent year and it appears that the target prices stated then for key commodities are no longer adequate—or even realistic.

My own south Texas district is heavily agricultural. Farmers there—and farmers elsewhere—have been hit hard by sharp increases in prices of fertilizers, machinery, fuel, and everything else required for agricultural production. But they are getting less for their crops.

The escalator clause in the Agriculture

Act of 1973, calling for the adjustment of target prices in line with rising costs of production, does not take effect until the 1976 and 1977 crop years. We should make this provision effective now. This step is necessary in order to implement the purpose of the Commodity Credit Corporation to stabilize and protect farm income and prices and to help maintain balanced and adequate supplies of agricultural commodities and their products.

There is a clear need for amending the Agriculture Act to establish a firm loan rate at the time a crop is planted, and that time is now, for they are already planting in my district. It should be a rate based on estimated production costs. The purpose would not be to guarantee the farmer a profit but to enable him to obtain adequate financing to meet the production costs.

Also, I call the attention of my colleagues to the fact that Farmers Home emergency loans as now administered can result in the marketing of crops under highly unfavorable marketing conditions. This program was established in order to make it possible for a farmer to finance another crop when extreme weather conditions have caused the loss of the first crop. It should be so administered.

Mr. Speaker, many U.S. farmers are in, or approaching, a crisis situation. Their urgent needs are for credit at reasonable interest rates at the beginning of the crop year and for sufficient stability in market prices for them to be able to plan ahead. Farming is not, and can never be, a moment-to-moment or even a day-to-day business.

These are matters of the utmost urgency. We cannot afford delay in dealing with them.

#### STRAIGHT TALK FROM BROCK ADAMS

The SPEAKER pro tempore (Mr. McFALL). under a previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 45 minutes.

Mr. PATMAN. Mr. Speaker, there is no question that one of the brightest luminaries of this House is our distinguished colleague, the Honorable Brock Adams. In fact, he received an official accolade of eminence when he was selected as the first chairman of our newly established Committee on the Budget which will, I know, bring greater clarity, order, and effectiveness to all our deliberations.

It is my pleasure to submit for the Record the following verbatim transcript of an interview between the noted journalist and commentator Paul Duke and my good friend, Brock Adams, on the program, "Washington Straight Talk" on WETA television, February 17, 1975.

ANNOUNCER. Brock Adams, Democratic congressman from Washington, Chairman of the new Committee on the Budget of the House of Representatives. Tonight on "Washington Straight Talk," Congressman Brock Adams is interviewed by NPACT correspondent Paul Duke.

PAUL DUKE. Good evening.

Like all institutions, Congress is now changing, with a battalion of new young leaders on the rise. One of those leaders is the man who's with us tonight, Congressman



Brock Adams. And because you are assuming a major position of responsibility in Congress, Mr. Adams, we are including you in our series of special interviews of people we regard as "The Accountables," those who are charged with helping to get this country going again.

President Ford has recommended a budget of three hundred and fifty billion dollars, with a deficit of approximately fifty-two billion dollars. Is Congress going to add to Mr. Ford's budget, or is Congress going to cut Mr. Ford's budget?

Representative BROCK ADAMS. I think Congress is going to try to cut Mr. Ford's budget. I don't know whether Congress will be successful or not, because a great part of it will depend upon how deep the recession becomes within the next year. There is approximately seventeen billion dollars worth of cuts already included in that budget from presently existing programs. And if unemployment continues to rise and federal receipts continue to drop because the recession keeps people from making money, then I don't see that the Congress will cut that budget.

DUKE. Well, most Democrats are certainly talking about adding to the budget. On the one hand you have the Democrats concerned about recession, as you just suggested. On the other hand, Democrats are now talking about a tax increase [sic] bigger than Mr. Ford has recommended, and they're also talking about putting more money into unemployment. So isn't it rather academic? Isn't Congress going to increase the budget?

Representative ADAMS. I think that probably they will, unless we get an upturn in 1976. That's calendar 1976. You see, Paul, about fourteen billion dollars worth of receipts are lost every time you have another percentage point of unemployment. And it costs you another two billion dollars in unemployment benefits that are paid. So you get about a sixteen billion dollar swing every time one more percentage point of unemployment goes up. Now that to me is the only salvation for trying to reduce the budget this next time.

I think we may make some reductions in defense spending and some reductions in foreign aid programs. But overall, those two factors of receipts and unemployment benefits are really beyond our control unless we want to produce considerable suffering during this recession.

DUKE. How much do you think Congress may reduce the defense part of the budget?

Representative ADAMS. Well, the proposals that I've heard are between five and ten billion dollars. This represents a cut of somewhere between eight and ten percent in the various programs. We also have a problem with the defense budget in that about fifty-five percent of it now is involved in personnel. And so really begin to make substantial cuts you have to reduce the number of people who are involved in the armed services. And their cost has been going up because we established a volunteer Army and the additional benefits for being in the service. And as we start to lay those people off, we exacerbate the unemployment problem.

So I think what I'm really saying to you is that those of us involved in this budget process understand it's very difficult. And we're willing to undertake it as a political problem and have it out with the President on where the money should be spent. But the country, overall, is in real trouble from what I think has been, to a very great degree, an induced recession, an idea that the way to combat inflation, which was evolved by the administration about three years ago, was that you sort of went into a recession, and this would stop inflation. And we were saying this would stop the economy, and I think that has happened. Now the administration is backing off, and I kind of think both parties are entering into a new era of

political debate on what they do with the budget.

DUKE. Well, they may be entering into a new era of political debate, but are they entering into a new era of political partisanship? President Ford has been talking the past few days about a partnership with Congress on foreign policy. Is it possible for Congress and the President to get together on domestic policy? Because it seems to me if there is one thing the American people don't want today, they don't want politics as usual with the enormous problems that we have.

Representative ADAMS. I agree they don't want politics as usual. And whether we can arrive at a partnership just depends, I think, on whether or not the President or his economic advisers, whoever is setting policy, will recognize the very great difference in viewpoint of what we think is a bulk of the American people on where their federal dollars should be spent and how we should go about coming out of recession. The President's proposals are basically that if you hold federal spending and really go with what would in 1974 have been a balanced budget, leave interest rates high, and try to give some help to business, that this will bottom out and come out by itself. This is the old cyclical theory, and it's combined with a trickle down theory.

Well, the Democratic Congress just simply does not believe that. We believe that consuming power has been badly eroded by inflation and by transfers of great amounts of purchasing power to the oil sector and, to a degree, into the corporate profit sector and into the whole area of food prices and interest payments, and, therefore, people don't have the money to buy a car or to make the economy turn over.

So we're going to have to have some recognition by the President and his advisers that we ought to have a chance to try some of our programs now to bring us out of the recession rather than continuing his, which got us there. Now that is possible. But right at the moment, as you can see, he's driving with "let's continue what we've been doing," and we're trying to say, "no, let's shift over and do a new thing."

DUKE. Are you suggesting that the combination of terrific inflation and now a very bad recession, in effect, producing a redistribution of income in this country?

Representative ADAMS. Yes, this is what is happening. You are taking money. And in very simplified forms, it's something like this. The poor and the middle income people, particularly in the lower middle income groups, are having a greater and greater portion of the amount of money they get every month, which is not going up, incidentally, very fast—that is being transferred into their food payments, into the payments for their housing, which is in the interest rate sector, and into what they pay for oil and gas—in other words, their heating and how they drive their automobile. By the time they have finished paying for those things, which is transferred over into the business sector, or, in some cases, being transferred abroad to the Arabs, you have less money available to buy goods in the internal economy. So the automobile manufacturer—he isn't suffering from a lack of productive capacity; he's suffering from a lack of market. And the same thing is now shifting down through all the durable goods. And we are saying that you have to build that back by giving back, say, a tax increase to these people and try to put a lid on some of the prices that they're being forced to pay, or else you distribute the income to a group of people who are not going to feed it back into the income stream, and you start a cycle down, much like [what] happened in the 1920s.

DUKE. Well, you mention a lid on prices. Are you suggesting that we may need some kind of permanent wage/price controls in this country?

Representative ADAMS. I think at some point we may very well need that, particularly in the administered price sector. And by that I mean in, for example, oil pricing. Oil pricing is now being controlled by the Arab cartel. And if you do what the President has suggested and take the present price control off crude oil here in the United States and de-regulate natural gas, you'll get an automatic increase, because the number of people who are operating in that industry are a limited number. They will simply increase their prices up to what we're paying for imported oil.

Now the President and his advisers think this is a very good thing because they say, well, that'll make it attractive then to mine coal or to go to other sources because you won't have inexpensive or fairly inexpensive petroleum products available. Well, what we're saying is if you try to pile that on the American economy right at this moment, which is the President's energy program—and it's built into his budget—what you're going to do is you're going to simply take more money out of the consuming stream and you're going to drive us further down into recession.

Now that's a basic philosophical difference with the President. It has nothing to do with partisanship; it has to do with how you think the economy in the United States runs.

DUKE. Well, let me throw out what many people regard as a dirty word at this point, "socialism." But aren't you really bordering on—aren't you really moving in that direction? Aren't you really talking about more state planning when you mention administered prices, which, in effect, is price controls over the major industries in this country? Are you saying that the old formulas, the old programs, the old policies for dealing with the economy just can't work any more and that we must have more state, more government planning?

Representative ADAMS. Well, there are two alternatives that you can come out with on it. You can either in effect regulate the markets to produce a situation where they are not unfair markets, or what I call an administered price market, or the government can go in with planning.

Now the reason that you've had the markets tilt so much into areas of economic concentration is, for the past four or five years, you've had no major effort to try to break up concentrations of economic power or to say "let's make it competitive." I think most of us believe in trying to make it more competitive and having all the businesses compete on an equal basis and have the laws of supply and demand, in effect, work. But right now that doesn't happen. And if you have to, in the short time, say, well, we will put in some type of government controls, a council on pricing, for example, that will report where prices have gone up and how much they've gone up and let the American public know this, with a back-up power in an administration to say, well, if you've gone beyond a certain set of guidelines, why, then the government is going to move on you. This may be necessary. Because right now, you find, for example—well, let's take the automobile pricing. They're worried about wage and price controls, so they have left their prices up. They're capable of leaving their prices up because there's no other effective competition. And instead they offer a rebate, which is really a snapback in pricing. The moment that you want to take the rebate off, you snap back up to your original prices. If they have enormous inventories, which indicates that the demand isn't there [sic]—so what is happening in that market is that the laws of supply and demand either aren't working or are working with terribly sticky prices. And as long as that continues, people are going to be laid off in that industry, because the average individual doesn't have,



S 2638

Mr. MORGAN. Mr. President, that was my recollection, but I would add that from that point on, my attitude became a little different about the proceedings and I am not sure whether—I was of the impression, but at any rate, I am not blaming the Chair because I understand it has been the custom in the Senate to do just that.

Mr. MANSFIELD. Mr. President—

The VICE PRESIDENT. The Senator from Montana.

Mr. MANSFIELD. Mr. President, I would like to make what I hope will be a constructive suggestion, and that is that the precedent by means of which Senators have risen to make a parliamentary inquiry be honored in the observance, even though it is not in the rules and procedures of the Senate.

I make this suggestion most respectfully because in my many years in this body the usual practice has been to recognize a Senator regardless of the circumstances if he raised a point of order, and the presiding officer had to assume that that point of order was legitimate.

#### FURTHER URGENT SUPPLEMENTAL APPROPRIATIONS, 1975

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at this time, under the previous agreement, the Senate turn to Calendar No. 23, House Joint Resolution 210, that it be laid before the Senate, and made the pending business, and I ask for the yeas and nays on final passage.

The VICE PRESIDENT. The joint resolution will be stated by the title clerk.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 210) making further urgent supplemental appropriations for the fiscal year ending June 30, 1975, and for other purposes, with an amendment.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution (H.J. Res. 210) making further urgent supplemental appropriations for the fiscal year ending June 30, 1975, and for other purposes, which had been reported from the Committee on Appropriations with an amendment.

On page 2, beginning with line 15, insert:

#### CAPITOL BUILDINGS AND GROUNDS CAPITOL GROUNDS

For an additional amount for "Capitol Grounds" to enable the Architect of the Capitol to convert squares 680, 681 West, and 722, now a part of the United States Capitol Grounds, for use as temporary parking facilities for the United States Senate, \$134,000, to remain available until June 30, 1976.

#### ACQUISITION OF PROPERTY AS A SITE FOR PARKING FACILITIES FOR THE U.S. SENATE

For an additional amount for "Acquisition of property for a site for parking facilities for the United States Senate", \$866,000, to remain available until expended.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The VICE PRESIDENT. There are 15 minutes for each side.

Mr. McCLELLAN. Mr. President, the further urgent joint resolution we bring before the Senate today would appropriate \$143,175,000. Of this amount, \$125 million is for operating assistance for the Penn Central and other railroads in reorganization under the Regional Rail Reorganization Act. These funds are urgently needed to insure that essential rail service will be continued in the Northeast and Midwest regions of the country during this reorganization process. The railroads have experienced critical cash shortages as a result of the coal strike, the decline in shipment of automobiles, and the current recession.

The balance of the joint resolution would provide additional office space for the House of Representatives as well as critically needed parking facilities for the Senate. The other body provided a total of \$17,175,000 in the bill to take over a building in southwest Washington that is being vacated by the Federal Bureau of Investigation. This is entirely a House matter and, in keeping with longstanding custom that each branch of Congress determines its own needs, no change was made to these items by the Senate.

The committee received testimony from the Architect of the Capitol of the urgent requirements of the Senate for additional parking spaces. The construction of the extension of the Dirksen Office Building will take away 335 parking spaces. The Architect has recommended that \$134,000 be used to convert three squares that are part of the Capitol grounds near Union Station for parking use. Two of these squares have been used by Metro for the construction of the subway and are now ready to be landscaped. Hence, it is urgent that a decision be made about converting these squares before Metro unnecessarily spends money on restoring them if they are to be used for parking.

The committee has also provided \$866,000 as an additional appropriation for the acquisition of square 724 from the Dirksen Office Building for eventual use as a Senate garage. This acquisition is duly authorized.

I yield to the distinguished Senator from North Dakota.

The PRESIDING OFFICER (Mr. ABOUREZEK). The Senator from North Dakota is recognized.

Mr. YOUNG. Mr. President, this is not a complex bill, as explained by the distinguished chairman of the committee (Mr. McCLELLAN). Part of the provisions would normally be contained in the legislative appropriations bill for both the House and the Senate. These are things we have to do. The major item is \$125 million to provide relief to the Penn Central Railroad and other Northeast railroads.

This, I think, is a debatable subject. I do not know how long we can continue to finance public railroads, but in this case I see no other alternative. These rails are important to the northeastern part of the United States, and, I have been told, they would have to discontinue service within a matter of 2 or 3 weeks.

So I see no alternative but to appropriate the money contained in this bill. I hope the bill will pass as reported.

Mr. McCLELLAN. Mr. President—

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the committee amendment be agreed to.

The PRESIDING OFFICER. Without objection, the committee amendment is agreed to.

Mr. McCLELLAN. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 4, after line 15, insert the following:

#### "GENERAL PROVISION

"SEC. 101. Section 205 of the Supplemental Appropriations Act, 1975 (Public Law 93-554) is hereby repealed: *Provided*, That none of the limitations on Travel included in the regular appropriations for fiscal year 1975 shall be exceeded."

Mr. McCLELLAN. Mr. President, I will try to be brief. This amendment would repeal the general provision, included in the Supplemental Appropriations Act, 1974, enacted on December 27, which placed a limitation on travel expenses, including subsistence allowances of Government officers and employees. That provision does not provide nor allow any exemptions or exceptions to the limitation for any agency or activity of the Government and applies equally to the executive, legislative, and judicial branches of the Federal Government. Briefly, I shall explain the background of this limitation.

When the Supplemental Appropriations Act was being considered in the Senate, an amendment was offered from the floor by the distinguished Senator from Delaware (Mr. ROTH) with a number of cosponsors, to limit Government travel expenditures to 75 percent of the amount expended for such in the preceding fiscal year. The objectives of this Roth amendment to reduce expenditures, were roundly supported, and it was accepted and taken to conference.

Under closer examination and study of the Roth amendment by the conferees, and after having checked with a number of agencies which, by the way, all clamored for exceptions and exemptions, it was determined by the conferees that the effect of the limitation as accepted by the Senate was of such severe proportions that it would cause many vital Government functions to cease and be seriously disrupted. Accordingly, the conferees modified the limitation to one which it was thought would be workable and less restrictive than the original provision.

The conference report language relating to that provision reads:

The conferees are in sympathy with the objective of curtailing all unnecessary Government travel and thereby reducing expenditures and conserving scarce energy resources. Accordingly, it is the intent of the conferees that this provision apply to all Government officers and employees in the Executive, Legislative and Judicial branches of the Government. In addition, it is the intent of the conferees that the Appropriations



two different things. I threw my mind into neutral gear when we got various parliamentary rulings around here that could not be defended, because I found it helped my personality not to get frustrated.

I found, when the Chair ruled about the right of recognition, the reference to that rule on page 588 of Senate procedure which says that the Chair may decline to answer parliamentary inquiries. That goes to the point where a Senator is trying to give a last minute argument. A Senator may want to do that, after everything has been debated he may hope to get his message over to his colleagues, and the point of view of his State, and he states his argument in the form of a parliamentary inquiry that no Presiding Officer could possibly answer, and that is the reason for the provision of that rule.

But let us look at the rule, Mr. President.

Mr. President, I ask unanimous consent to continue, if I can, and without objection I shall.

Mr. MANSFIELD. How much time does the Senator wish to have?

Mr. HOLLINGS. About 3 minutes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from Virginia be recognized for 5 minutes.

Mr. HOLLINGS. Let me be recognized because I am sure the Presiding Officer and the Parliamentarian cannot show me in these rules where Senators shall not be recognized.

He has pointed out that he does not have to answer a parliamentary inquiry. But let us look at the rule: Rule XIX:

When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him.

The Presiding Officer shall recognize the Senator.

Which one? The one who shall first address him.

Now, let us look at the rule book of the Parliamentarian for all kinds of references to recognition, and if we turn to page 673, and we find the language where the Parliamentarian in his Senate procedure book says:

It is the duty of the Presiding Officer to recognize the Senator who first addresses him. . . .

On further, and next to the paragraph at the bottom:

The Chair should recognize the Senator who first addresses him—

Again turning to the top of page 674: Every Senator—

We do not have to talk about courtesy, it is a matter of right—  
in due time has a right—

In the Parliamentarian's language—to recognition before the Senate acts on an issue unless by unanimous consent—

There are plenty of rules in here to seat a Senator. If I am out of order the Presiding Officer has a perfect way to take me off my feet. He can ask that I be seated, rule me out of order, and then

that is appealable. So the ultimate ruling of actually getting this floor is retained within the body itself, on appeal to the Senate in the last instance.

Referring again—not about this parliamentary inquiry but about recognition. Let us not slough this one off. It talks about going up to the Chair, which is a matter of courtesy and habit and tradition, and many times a Senator, while this distinguished Presiding Officer is going to be presiding, he will have Senators say, "I have been here and I have got to go and catch this plane, and I wish you would recognize me."

It says there:

The Senator who gave the notice should rise at the specified hour, the Senator previously addressing the Senate having yielded the floor, and address the Presiding Officer in order to obtain recognition; however, a Senator who has given such notice is usually recognized as a matter of courtesy, based on custom only, since there is no provision in the rules entitling him to recognition as a matter of right.

First, they are talking about seriatim:

If another Senator first rises and addresses the Chair, it is the duty of the Presiding Officer, under the rule, to recognize such Senator when he insists upon the right to the floor.

That is the language in the rules and the Senate Procedure book, and the parliamentary rulings, the right to the floor, the duty to be recognized, and I think the Presiding Officer ought to get better advised from the Parliamentarian.

The Vice President, poor fellow, has only been here a month, trying to keep up with all of these programs, getting the Domestic Council straight, and I do not blame the Presiding Officer. But do not get caught up with the debate and get caught up with the idea of fairness, "Because I recognized you yesterday then I think I ought to look around and recognize somebody else tomorrow."

The Senator from Alabama can stand here and keep on under these rules. We have got a way to shut him up. It is stated in these rules. But the Senator has got to be recognized, he has a right under the rules, and the Presiding Officer should really, in addition to his apology, reverse that ruling and not confuse it with the answer to a parliamentary inquiry. That is a different thing. We are talking about the right of recognition here today.

Mr. WILLIAM L. SCOTT. Mr. President, I realize the difficult job that the Vice President has to perform in presiding over the Senate. All of the Members of the Senate, not as Vice President but as Presiding Officer, have faced the same fact that the Vice President is called upon to face each day. It is the practice in the Senate to have the more junior Members preside over the Senate. I think oftentimes because the more senior Members do not want to be tied down to the Chair, so it is quite easy to be sympathetic with the Vice President.

I recall though in the last few days both Senators from Virginia were on their feet seeking recognition prior to the rollcall starting, and both of us have failed to be recognized, I think quite improperly, and I am in general agreement with the statements that have been made.

I think, however, Mr. President, that we have carried this far enough. If the Senate can get the message to the Presiding Officer, I think we have done it. If we have not done it now, I do not think we will ever get that message to the present occupant of the Chair.

I would like to add one further comment, however. I would call the Presiding Officer's attention to a paragraph on page 395 of Senate Procedure which is entitled "Chair Does Not Participate In" and it reads as follows:

The Presiding Officer has no right to engage in conversation with Senators on the floor; he should not participate in debate. Nevertheless, the Presiding Officer on a few occasions has taken the liberty of making certain remarks in the nature of debate in the absence of a point of order being made.

I would say to the distinguished Vice President that this is the procedure prepared by Dr. Riddick, long-time Parliamentarian of this body, in 1974, just before he left office.

Now, I think the Members of the Senate have been partly responsible for the colloquy that has taken place between the Chair and the Members of the Senate. So I do not say this in a critical vein but I thought the Presiding Officer should know that this is a part of the procedure in the Senate.

Mr. MORGAN addressed the Chair.

Mr. MANSFIELD. Mr. President, how much time does the Senator desire?

Mr. MORGAN. Two minutes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator be recognized for not to exceed 3 minutes.

Mr. MORGAN. While we are on the question of the fairness, I would like to comment on an incident on yesterday which, I think, the Chair is not to blame for.

Like the Senator from South Carolina, I had not been too concerned about the motions and the debates until I was present in the Senate either yesterday or the day before, and I observed that the Chair failed to recognize the Senator from Alabama, much as the situation was today. The Chair announced at that time that the clerk had begun to call the roll.

I had not heard the clerk call anyone's name, so I made some inquiry as to whether or not he had called the roll, and I was informed that a Member of one side or the other was standing at the clerk's desk to get his vote in the very moment that the Vice President called for a rollcall in order to prevent a point of inquiry, and this was a normal procedure.

I think it is not only important that we conduct our proceedings in a method of fairness but I think it is also important that they appear to be fair, and if that is a gimmick to cut off debate, it is one that I think should not be allowed, and it is one that I find no rules for or no provisions for in the Senate rules.

But I would again point out that if this was error, that it is not attributable to the Vice President because I understand that it has been the custom in the past.

The VICE PRESIDENT. I do not think, if the Senator will forgive me, that I was presiding when this incident took place.



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## CONGRESSIONAL RECORD — SENATE

S 2639

Subcommittees conduct a continuing review of Government travel costs of individual departments and agencies with a view toward achieving further economies and reductions where practicable.

The implementation of this limitation which was based on the fiscal year 1975 budget estimates required that it be carried out on an account by account basis.

Many agencies and departments have been in touch with the House and Senate Appropriations Committees regarding the problems created by this limitation, even though modified, in effectively and efficiently carrying out their assigned duties and responsibilities. I will not attempt to elaborate on these problems, as many Senators are aware of them, having heard from their constituents and from the agencies as to why certain projects and programs must be halted. Several Senators have written the Appropriations Committee to take action in connection with this matter.

Since no exemptions or exceptions were permitted under the travel limitation, many agencies with regulatory and enforcement responsibilities, including safety inspections, have had to sharply curtail field work. Agencies involved in construction activities—such as Bureau in the Department of the Interior, Corps of Engineers—have had to slow down and curtail their work. Routine operation and maintenance activities on Government lands and projects have been adversely affected.

The limitation is causing such unanticipated and unintended results that many programs and functions will have to cease unless the limitation is removed.

The major reasons why the travel limitation is causing these problems follow:

First. The budget estimates upon which the limitation is based were prepared approximately a year in advance of the beginning of the current fiscal year. The estimates did not anticipate the fast pace of inflation, including the large fuel cost increases that occurred.

Second. Poor base budget estimates notwithstanding the inflation factor.

Third. Unanticipated requirements added by Congress without corresponding increases in funds to carry out the additional directives.

Fourth. The limitation was placed on the departments and agencies during midyear after 6 months of the fiscal year had already passed. Many agencies' actual costs in the first half of the year were at such rates that once the limitation was imposed, the obligations and commitments as planned for the entire year are now disrupted, and insufficient flexibility remains under the limitation for the rest of the fiscal year.

Mr. President, I have talked to the chairman of the Appropriations Committee of the House of Representatives and advised him that I would propose such an amendment here today. I am of the opinion, from his remarks, that this amendment will likely be accepted by the House, hopefully so, and that no conference will be required.

I yield to the Senator from North Dakota.

Mr. YOUNG. Mr. President, I believe under normal conditions the Govern-

ment could live with these limitations, but we have a large number of people unemployed now. The best way to handle these programs, such as those that come under the Corps of Engineers, the Bureau of Reclamation, and other agencies, is to have more travel if they are to provide additional jobs for the unemployed.

Mr. McCLELLAN. Mr. President, I might make one other observation. This limitation was not imposed until the fiscal year was about half over. Therefore, it really amounted to a limitation of about 20 percent of the past appropriations.

I believe this needs examination each year, of course, in an appropriation bill. This amendment was offered on the floor, and we took it to conference with the result that we reduced it to 10 percent, but that still had the effect of a 20-percent reduction over the previous year.

It has not worked. Therefore, I hope we will have unanimous agreement that this amendment to be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. HARRY F. BYRD, JR. Mr. President, I ask that the Record show that the Senator from Virginia voted "no."

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, I understand that the author of the amendment we are discussing is on his way to the Chamber. We did let him know that this would come up.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HOLLINGS. Mr. President, chapter I of House Joint Resolution 210 provides a total of \$18,175,000 in supplemental appropriations for the legislative branch. The bulk of this amount, \$17,175,000 to be exact, is for the House of Representatives to provide additional office space, primarily at the former FBI Fingerprint Building they have acquired at Second and D Streets SW. Due to the passage of two recent acts, the other body deems that it has a critical need for additional space, and in accordance with the long standing custom that each body determines its own needs, we have made no change to the House items.

The committee received testimony from the Architect of the Capitol regarding similarly urgent items for the Senate, particularly with regard to employee parking. I am sure it is generally known that excavation will soon get underway for the extension of the Dirksen Building. This will eliminate 258 parking spots in the eastern half of square 725 along with 77 spaces in the basement area of the Dirksen Building, or 335 spaces in all. The Architect and the chairman of the Rules Committee have found three squares of the Capitol Grounds by Union Station that, if converted to parking, will offset 300 of this loss and require \$134,000. In addition, the Architect can create 60 additional spaces in square 724 that we are taking for eventual use as a Senate garage by demolishing unnecessary small structures and by changing the

configuration of the lot—so there will actually be a net gain of 25 spaces.

The urgency comes about because Metro is presently using two of the squares in connection with construction of the subway. Metro is duty-bound to restore those two squares to their former landscaped condition but it would be a waste of money to do that if we are going to make them into temporary parking lots. Metro is finished with those squares and must pay their contractor penalties of \$2,500 a day for any delays in finishing up work on the squares. By taking this action now, Metro will not incur unnecessary costs, and will either do a portion of the work of turning the squares into a parking lot, or provide funds in the amount of the cost of relandscaping. Negotiations are currently underway with Metro to work out the details.

The committee has also included \$866,000 for an additional appropriation for the acquisition of properties and related costs in square 724 that will eventually be used for a Senate garage. We appropriated \$4,075,000 in the Supplemental Appropriations Act, 1973 for the taking of the privately owned properties in this square, including relocation allowances to the owners and occupants, the demolition of any buildings not required for Senate use, and the use of the acquired properties by the Senate.

The Senate had previously acquired the Plaza Hotel and also took over the former Immigration Building in this square, both of which are being used for Senate office space. This additional appropriation is required because of the relocation costs for the owners and occupants and the altering of the Immigration Building and the Capitol Hill Hotel—Carroll Arms—into office space is costing more than originally estimated.

The committee reduced the amount for square 724 by the amount needed to convert the three squares into parking lots. The committee has specifically denied the funds for the demolition of the Hill Apartments building. This is a solid six-story structure that might be needed for Senate office space during the construction of the Dirksen extension, and the committee believes that it should not be razed until the Senate's requirements are more certain.

Mr. BAYH. Mr. President, chapter II of House Joint Resolution 210 would provide \$125 million in operating assistance for the Penn Central, the Erie Lackawanna, and the other railroads in reorganization under the Regional Rail Reorganization Act of 1973, as amended. The original authorization of \$85 million for this type of assistance has been fully appropriated and made available to the railroads by the Federal Railroad Administration. However, testimony before the committee indicates that a serious cash shortage has developed for these railroads in recent months due to such factors as the coal strike, the decline in auto shipments, and the current recession in the economy. The additional funds provided by this resolution are necessary immediately to keep these railroads operating currently and for the next several months. Penn Central has shown that it cannot meet this week's payroll without additional funds. This



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would dictate an immediate embargo of all traffic and would set in motion a chain of events that would be catastrophic for the entire Nation.

These railroads serve an area in which over 40 percent of the Nation's people reside and which produces over half of the Nation's industrial output. The Penn Central alone employs some 80,000 people and operates over a rail system of around 19,000 miles. The adverse impact of such a shutdown would not be confined to the Northeast and Midwest, however. These railroads are an integral part of a national rail system which links the entire country. The Northeast railroads receive over 300 cars daily from Alabama, over 640 from California, and over 400 from Minnesota. In return, these companies send out around 700 cars a day to Texas, 200 to the State of Washington, and over 500 to Tennessee. It has been estimated that a 2-month embargo on traffic by these railroads would reduce the gross national product by 3 percent and reduce overall economic activity by almost 4 percent. In addition, a shutdown at this time, when the Nation desperately needs to find more energy efficient means of transporting its goods as well as its citizens, would cripple the efforts that are presently underway to develop a modern and efficient rail system in this country.

In urging passage of this appropriation, I am not condoning the practices of the Penn Central management over the past 30 years. Much of the rail system in the Northeast was built in the early 1900's and has not been properly maintained since World War II. But the situation we are facing today is one where we either appropriate these funds or the railroads will cease operations. We simply cannot allow that to happen.

Mr. President, I urge the Senate to accept the committee's recommendations.

## THE FEDERAL TRAVEL AMENDMENT

Mr. ROTH. Mr. President, although I strongly support the assistance being given the Penn Central as necessary to the economy of the Eastern seaboard I greatly regret that this legislation is eliminating the limitation—Federal travel agreed to last year. I recognize that there were certain hardships created by this legislation, but it would have been preferable in my judgment, to correct those situations where there were true hardship while leaving the restraints in other areas of governmental activity. Originally, I intended to make the limitation apply to the Government as a whole, so that the executive branch would have the discretion to decide where travel could be prudently restrained. Unfortunately the parliamentary situation was such that this was not possible.

In any event, the limitation has been eliminated because of complaints received from many agencies, some valid, others undoubtedly questionable.

I regret the unwillingness of the executive branch to try to find means of making savings without jeopardizing legitimate activities. They are the only ones that can intelligently decide what travel is necessary and what travel is unnecessary. No one wants to limit travel that

is essential to vital services of the Government, whether it be by the executive, judiciary, and Congress. What I do want to eliminate is travel that can be dispensed with without interrupting vital Government service. The executive branch could, I am convinced, come up with a proposal that would have protected essential travel while achieving the general objectives of this travel limitation. It did not do so and as a result, we now have the sad spectacle of the Government telling the American people to restrain their use of energy, but failing to lead by example. It is hard to explain to the people back home that they must sacrifice when the Federal Government shows no willingness to tighten its belt. The time is for some hard decisions to be made by the Government at every level. I hope and urge the executive and other branches of Government to do so with respect to travel in the next fiscal budget.

Mr. President, I shall vote against this legislation for the reasons already set out. I will support the appropriation for the Penn Central as a vital step to restore necessary mass transportation services.

The PRESIDING OFFICER. The joint resolution is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the joint resolution.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time.

The PRESIDING OFFICER. Do the Senators yield back their time?

Mr. McCLELLAN. I yield back the remainder of my time.

Mr. YOUNG. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

The joint resolution, having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Missouri (Mr. SYMINGTON), the Senator from Minnesota (Mr. HUMPHREY), and the Senator from Hawaii (Mr. INOUE) are necessarily absent.

I also announce that the Senator from Alaska (Mr. GRAVEL) is absent because of illness.

I further announce that, if present and voting, the Senator from Minnesota (Mr. HUMPHREY) would vote "yea".

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. Hruska) is necessarily absent.

I also announce that the Senator from Oklahoma (Mr. BARTLETT) and the Senator from Illinois (Mr. PERCY) are absent on official business.

I further announce that the Senator from Ohio (Mr. TAFT) is absent due to illness.

The result was announced—yeas 61, nays 29, as follows:

[Rollcall Vote No. 31 Leg.]

YEAS—61

|                 |            |             |
|-----------------|------------|-------------|
| Abourezk        | Hartke     | Moss        |
| Baker           | Haskell    | Muskie      |
| Bayh            | Hathfield  | Nelson      |
| Beall           | Hathaway   | Pastore     |
| Bentsen         | Hollings   | Pearson     |
| Biden           | Huddleston | Pell        |
| Brooke          | Jackson    | Randolph    |
| Buckley         | Javits     | Ribicoff    |
| Bumpers         | Johnson    | Schweiker   |
| Case            | Kennedy    | Scott, Hugh |
| Church          | Leahy      | Sparkman    |
| Clark           | Long       | Stafford    |
| Culver          | Magnuson   | Stevens     |
| Domestic        | Mathias    | Stevenson   |
| Eastland        | McClellan  | Tower       |
| Ford            | McGee      | Tunney      |
| Glenn           | McGovern   | Weicker     |
| Griffin         | McIntyre   | Williams    |
| Hansen          | Metcalfe   | Young       |
| Hart, Philip A. | Mondale    |             |
|                 | Montoya    |             |

NAYS—29

|                 |               |            |
|-----------------|---------------|------------|
| Allen           | Dole          | Packwood   |
| Bellmon         | Fannin        | Proxmire   |
| Brock           | Garn          | Roth       |
| Burdick         | Goldwater     | Scott,     |
| Byrd            | Hart, Gary W. | William L. |
| Harry F., Jr.   | Helms         | Stennis    |
| Byrd, Robert C. | Laxalt        | Stone      |
| Cannon          | Mansfield     | Talmadge   |
| Chiles          | McClure       | Thurmond   |
| Cranston        | Morgan        |            |
| Curtis          | Nunn          |            |

NOT VOTING—9

|          |          |           |
|----------|----------|-----------|
| Bartlett | Hruska   | Percy     |
| Eagleton | Humphrey | Symington |
| Gravel   | Inouye   | Taft      |

So the joint resolution (H.J. Res. 210) was passed.

Mr. McCLELLAN. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. HARTKE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

## ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business not to extend beyond 30 minutes, with statements limited therein to 5 minutes.

The PRESIDING OFFICER (Mr. STONE). Without objection, it is so ordered.

## A TRIBUTE TO THE VICE PRESIDENT

Mr. CRANSTON. Mr. President, as the Senator from Alabama has noted, I have not heretofore spoken on the matter of the rule XXII change during the debates, although I have been active in that matter. I wanted to speak after discussion of the Vice President's rulings and procedures began, but I was in the cloakrooms, involved in discussions of the compromise that emerged from the very statesmanlike suggestions that came from the Senator from Louisiana and the majority leader. I came back to the floor hoping to be able to comment, because I gathered that the Vice President was being criticized roundly on both sides of the aisle. When I managed to get back to the floor, however, the matter had been taken from the Senate floor and we were on the matter of the Penn Central Railroad.

I wish to say that I understand the feelings of those who have commented in



minute, to revise and extend his remarks and include extraneous matter.)

Mr. MAHON. Mr. Speaker, today the House will be considering the Tax Reduction Act of 1975, along with an amendment to repeal the depletion allowance for oil and gas effective January 1, 1975.

It is mandatory that the United States move as rapidly as possible toward domestic sufficiency in energy. The repeal of the depletion allowance would discourage exploration for oil and gas and slow down new efforts which are under way to make this country less dependent upon foreign sources for energy.

In the past year we have experienced a significant increase in the drilling of oil and gas wells in this Nation. We must not destroy the progress that we are now making and, in fact, we must accelerate it.

Mr. Speaker, this Nation faces a very grave economic situation. Without a doubt our imports of foreign oil and the high prices that we must pay for this oil are prime contributors to our economic problems.

We must solve these problems and we simply cannot move in a direction that only further heightens our dependence on foreign oil.

Mr. Speaker, I wish to record my continued disapproval of the proposed elimination of the depletion allowance. Does anyone believe that elimination of the depletion allowance could do anything except remove one of the important incentives that exist for oil and gas exploration?

This incentive is particularly important for the independent producers of oil and gas who drill about 80 percent of and exploratory wells. They must be encouraged to continue to exert a maximum effort to find more reserves of oil and gas. It is for this major reason that I speak out against the repeal of the depletion allowance. We want more fuel for our cars, for our homes, and for industry. We should not erect a roadblock against domestic self-sufficiency in oil and gas.

#### FIRST OFFICIAL BICENTENNIAL VISITOR

(Mr. WON PAT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WON PAT. Mr. Speaker, during this coming weekend a historic event will occur in which I, as a native-born Guamanian, am doubly proud to be a part. At 7 a.m. on Saturday, March 1, 11-year-old Patrick Andrew Guzman, of Umatac, Guam, will arrive at Dulles International Airport as the first official Bicentennial visitor. With the cooperation of the Guam Bicentennial Committee and Mr. Kent Williams, San Francisco regional director for the American Revolution Bicentennial Administration, Patrick not only will open America's Bicentennial celebration, but will also become a part of Guam's historical relationship with these United States.

Along with Gov. Ricardo Bordallo, of Guam, I and other representatives of the

city of Washington and the Bicentennial Administration will welcome this young traveler on his first trip away from Guam. Along his route he will stop in Honolulu, San Francisco, and Los Angeles and help to open each city's Bicentennial celebrations as he is presented the keys to these cities.

Young Patrick will have the opportunity to see firsthand the Declaration of Independence which gave birth to our country two centuries ago. He will tour the White House, meet with local and Federal officials, with Mr. John Warner, Director of the Bicentennial Administration, and visit many historic monuments of our Nation's Capital. A hockey game and a children's party will top off his very busy and crowded schedule.

On behalf of my colleagues in the House of Representatives, I would like to welcome Patrick Andrew Guzman to our city and to the Congress of the United States. It will be my pleasure and honor to be his official host in Washington and it is a great source of personal pride for one of my young countrymen, on whom rests the future hopes of Guam, to be so intimately involved in the 200th birthday of our great Nation.

#### MAKING FURTHER URGENT SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR 1975

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H.J. Res. 210) making further urgent supplemental appropriations for the fiscal year 1975, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 2, after line 14, insert:

"CAPITOL BUILDINGS AND GROUNDS"

Page 2, after line 14, insert:

"CAPITOL GROUNDS"

"For an additional amount for 'Capitol Grounds' to enable the Architect of the Capitol to convert squares 680, 681 West, and 722, now a part of the United States Capitol Grounds, for use as temporary parking facilities for the United States Senate, \$134,000, to remain available until June 30, 1976."

Page 2, after line 14, insert:

"ACQUISITION OF PROPERTY AS A SITE FOR PARKING FACILITIES FOR THE UNITED STATES SENATE"

"For an additional amount for 'Acquisition of property for a site for parking facilities for the United States Senate', \$866,000, to remain available until expended."

Page 3, after line 20, insert:

"GENERAL PROVISION"

"Sec. 101. Section 205 of the Supplemental Appropriations Act, 1975 (Public Law 93-564) is hereby repealed: *Provided*, That none of the limitations on travel included in the regular appropriations for fiscal year 1975 shall be exceeded."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. BAUMAN. Mr. Speaker, reserving the right to object, I wonder if the gentleman from Texas would be kind

enough to explain the Senate amendments.

Mr. MAHON. Mr. Speaker, if the gentleman will yield, I will be happy to do so.

There were four amendments adopted by the other body. Three of these amendments have to do with the business of the Senate.

Senate amendment No. 1 simply is a technical amendment. It inserts a heading.

Senate amendment No. 2 provides for additional amounts for Capitol grounds to enable the Architect of the Capitol to convert certain property of the U.S. Capitol for use as temporary parking facilities for the U.S. Senate.

Amendment No. 3 is for the acquisition of a site for parking facilities.

These are additions relating to the Senate, and normally we do not undertake to revise such Senate provisions and the Senate does not undertake to alter provisions of the House.

Then, Senate amendment No. 4 is a general provision. It relates to the governmentwide travel limitation. In the supplemental bill last December the House and Senate conferees agreed to what amounted to a 5-percent reduction in travel. This applied to all Government departments and agencies. There has been such a problem as a result of this blanket reduction in travel that the proper execution of some critical activities have been threatened. It has been contended that the travel limitation is unworkable and very harmful to the carrying on of programs generally, so it is repealed in this amendment No. 4.

Mr. BAUMAN. Then there is no provision in these amendments which relates to the \$35 per diem for Senators?

Mr. MAHON. No, there is nothing like that in the Senate amendments.

Mr. BAUMAN. Mr. Speaker, I thank the gentleman for his explanation, and I withdraw my reservation of objection.

Mr. MAHON. Mr. Speaker, the repeal of the travel limitation in the supplemental appropriation bill should by no means be interpreted that congressional concern about travel and travel costs has diminished. It has not.

When the supplemental was considered in the other body in November an amendment was agreed to which would have limited travel to 75 percent of the rate of obligations in fiscal year 1975. There was widespread feeling that Government travel was excessive but at conference it was recognized by some that the Senate amendment was probably too severe, especially considering that almost half the fiscal year had elapsed. Consequently, the conferees modified the Senate amendment and agreed to a provision that was less severe and which it was hoped would be more workable.

As the modified travel limitation was implemented, it became apparent that many necessary requirements for travel by certain agencies could not be adequately fulfilled. Over a period of many weeks we have conferred with the Appropriations Committee of the other body and with officials of the executive



# House of Representatives

THURSDAY, FEBRUARY 27, 1975

The House met at 12 o'clock noon.

The Reverend William Ayres, St. Joseph's Roman Catholic Church, Babylon, N.Y., offered the following prayer:

O Lord, You are the deepest source of our life and our hope. Help us to know what You call us to do as servants of Your people.

May we honestly recognize our own fears and doubts, so that we do not act from them but rather overcome them with Your strength.

Help us to recognize any false pride or narrow self-interest so that we may never betray Your call to us or our responsibility to Your people.

May we hear the cry for justice from the poor, the hungry, and the oppressed in all lands.

Most of all, Lord, help us to believe that we are loved, and that our greatest joy is in loving You and one another in return.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H.J. Res 210. Joint resolution making further urgent supplemental appropriations for the fiscal year ending June 30, 1975, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 281. An act to amend the Regional Rail Reorganization Act of 1973 to increase the financial assistance available under section 213 and section 215, and for other purposes.

## THE REVEREND WILLIAM AYRES

(Mr. DOWNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOWNEY. Mr. Speaker, if it appears that I feel somewhat nervous today, it is because this is the first time I have had the privilege of addressing this body. I could not think of a more fitting occasion than this, to compliment my good friend and spiritual adviser, the Reverend Bill Ayres.

Everything Reverend Ayres does, from the rock program that he has to increase spiritual awareness in our young people over a radio station in New York to his work on world hunger, indicates his compassion and deep feeling for his fellow human beings.

Mr. Speaker, I am proud to know him and honored to introduce him today.

## FURTHER AID TO CAMBODIA

(Mr. ROUSH asked and was given permission to address the House for 1 minute to revise and extend his remarks and include extraneous matter.)

Mr. ROUSH. Mr. Speaker, day after day we see pictures and hear reports of the human suffering in Cambodia, suffering that occurs because of the war that is going on in that faraway land. Suffering that is being prolonged because of our continual support of that war. The administration has asked for an additional appropriation of \$222 million in order to prop up the Lon Nol government in Phnom Penh. This money would be pumped into the country, not to relieve the suffering of the Cambodian people, but to support a regime that is declining daily. This \$222 million is in addition to the \$377 million already expended this fiscal year to support a war which no one has said can or will be won.

The President has told us we must keep our "word" to the Cambodians, we cannot let them down. I must take exception to this. It was established in hearings on this matter before the Foreign Operations Subcommittee of the House Committee on Appropriations by Chairman PASSMAN and Assistant Secretary of State Philip Habib that the United States has no legal obligation to Cambodia. Let me quote a passage from those hearings:

Mr. PASSMAN. If we should deny all funds, we have violated no legal commitments?

Mr. HABIB. That is correct.

We are being asked to appropriate money not to keep a legal commitment nor to help those in Cambodia, but to prolong their misery and despair by prolonging a cruel and unnecessary civil war.

And, finally, Mr. Speaker, we must ask ourselves the question, the answer to which must ultimately dictate our decision and that is this: Is what we propose in the best interest of the United States? I must say "no" and conclude that I cannot and will not be a party to this appropriation of additional funds for military support to Cambodia.

## TEXAS SHOULD BE FIVE STATES

(Mr. COLLINS of Texas asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Texas. Mr. Speaker, the time has come for Texas to consider action on dividing into five States. When Texas was annexed to the Union in 1845, the joint congressional resolution stated that—

New States, not exceeding four in number, in addition to said State of Texas, may hereafter, by consent of said State, be formed—entitled to admission under the provisions of the Federal Constitution.

Instead of having one State of Texas, we should have five Texas States including north, south, central, east, and west Texas.

Our county of Dallas has three times the population of the State of Vermont. Houston is twice as large as the State of New Hampshire. Add one county to San Antonio and you would have a State larger than Maine. Texas has four times as many square miles as New England, yet Texas is only one State and New England represents six States.

Because Texas does not have a heavy State debt, the division would be possible without financial complications. Every year Texas balances its budget and this fiscal strength would let all five States start with no debt.

The States would have homogeneous relationships. Dallas and Fort Worth already have joint economic interests. Houston would be the hub of another State. San Antonio would be the center of south Texas and Texas large Mexican-American population. All west Texas would tie together with their common interest in ranching. Central Texas could be built around the present State capital in Austin.

Instead of 2 U.S. Senators, we would then have 10. Instead of one Governor we would have five. The last man to speak out strongly in behalf of this plan of five Texas States was Speaker John Nance Garner. The execution of this plan rests with the Texas State Legislature.

When Texas annexed and no longer was the Republic of Texas, the guiding fathers had foresight in specifying the right and provision for Texas to later divide into five States of the United States. Now the eastern liberals are asking for no tax on fuel oil and all the tax on gasoline. The western liberals suggest nationalizing the oil industry. The northern liberals want price ceilings on beef. Everyone wants to work over Texas because we have a small voice. The time has come for Texas to be five States.

## SUPPORT OF DEPLETION ALLOWANCE

(Mr. MAHON asked and was given permission to address the House for 1

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branch seeking an equitable solution to the growing problems associated with such a blanket limitation. Very recently I conferred with the chairman of the Senate Appropriations Committee and it was agreed that the best course of action at this time under the circumstances was to repeal the limitation and direct attention to the matter in connection with the appropriations for fiscal year 1976 for which hearings are currently being conducted.

Yesterday, when the repeal of the limitation was being considered in the other body, the chairman of the Senate Appropriations Committee very clearly laid out why the travel limitation was causing problems. I commend his remarks to the attention of Members.

Mr. Speaker, the conference report on the supplemental contained a statement that the Appropriations Subcommittees would conduct a continuing review of Government travel costs of individual departments and agencies with a view toward achieving further economies and reductions where practicable. I will do everything I reasonably can toward that objective and I will urge others to do likewise.

(Mr. BAUMAN asked and was given permission to revise and extend his remarks.)

(Mr. MAHON asked and was given permission to revise and extend his remarks.)

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

#### APPOINTMENT AS MEMBER OF NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

The SPEAKER. Pursuant to the provisions of 44 United States Code 2501, as amended, the Chair appoints as a member of the National Historical Publications and Records Commission the gentleman from Indiana, Mr. BRADEMAS.

#### APPOINTMENT AS MEMBERS OF SELECT COMMITTEE ON AGING

The SPEAKER. Pursuant to the clauses 6 (e) and (h), of rule X, and without objection, the Chair appoints as additional members of the Select Committee on Aging the following Members of the House:

The gentleman from Oklahoma (Mr. RISENHOVER) and the gentleman from Maryland (Mr. GUBE).

There was no objection.

#### CALL OF THE HOUSE

Mr. WYDLER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 28]

|                 |                |               |
|-----------------|----------------|---------------|
| Abzug           | Flynt          | Obey          |
| Andrews, N.C.   | Fountain       | Patterson,    |
| Ashley          | Fraser         | Calif.        |
| Badillo         | Goldwater      | Rhodes        |
| Barrett         | Hébert         | Rostenkowski  |
| Brown, Mich.    | Heckler, Mass. | Rousselot     |
| Burke, Calif.   | Hinschaw       | Satterfield   |
| Butler          | Jones, Okla.   | Scheuer       |
| Chappell        | Ketchum        | Selberling    |
| Chisholm        | Kindness       | Shuster       |
| Conyers         | Long, Md.      | Staggers      |
| Diggs           | McCloskey      | Teague        |
| Dodd            | McCormack      | Thompson      |
| Drinan          | Millford       | Waxman        |
| Edwards, Calif. | Mills          | Wiggins       |
| Fenwick         | Murtha         | Young, Alaska |

The SPEAKER. On this rollcall 385 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

#### RULES OF THE JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

Mr. BROOKS. Mr. Speaker, following the organizational meeting of the Joint Committee on Congressional Operations on Thursday, February 20, 1975, and in accordance with rule XI, section 2(a) of the rules of the House, I am submitting for publication in the CONGRESSIONAL RECORD the joint committee's rules for the 94th Congress.

As the joint committee is a continuing body, these rules are unchanged from those used in the 93d Congress:

##### JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

###### RULE 1

The rules of the Senate and House, insofar as they are applicable and consistent with sections 401 through 407 of Public Law 91-510, shall govern the committee and its subcommittees. The rules of the Committee, insofar as they are applicable, shall be the rules of any subcommittee of the committee.

###### RULE 2

The meetings of the committee shall be held at such times and in such places as the chairman may designate, or at such times as a quorum of the committee may request in writing, with adequate advance notice provided to all members of the committee. Subcommittee meetings shall not be held when the full committee is meeting.

###### RULE 3

Six members of the committee shall constitute a quorum, except that two members shall constitute a quorum for the purpose of taking testimony and receiving evidence. A majority of the members of a subcommittee shall constitute a quorum of such subcommittee except that two shall constitute a quorum for the purpose of taking testimony and receiving evidence.

###### RULE 4

A member may vote by proxy on any measure or matter before the committee and on any amendment or motion pertaining thereto. A proxy shall be in writing and be signed by the member granting the proxy; it shall show the date on which it was signed and the member to whom the proxy is given. Each proxy authorization shall state, and shall be

limited to, the specific measure or matter to which it applies; and unless it states otherwise, it shall apply to any amendments or motions pertaining to that measure or matter. Unless limited by its terms, a proxy shall remain valid until revoked or until superseded by a proxy bearing a later date. A proxy may contain more than one authorization.

###### RULE 5

The chairman in consultation with the vice chairman may—

(1) name standing or special subcommittees, and

(2) designate the chairman of each standing or special subcommittee.

No member of the committee shall be chairman of more than one standing or special subcommittee. The total number of chairmanships, and the membership, of standing and special subcommittees shall be equally divided, so far as practicable, between the Members of the Senate and the Members of the House of Representatives on the committee. Any member of the committee shall have the privilege of sitting with any subcommittee during its hearings or deliberations, and may participate in such hearings or deliberations, but no such member shall vote on any matter before such subcommittee.

###### RULE 6

The committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship and the vice chairmanship shall alternate between the Senate and the House of Representatives with each Congress. The chairman during each even-numbered Congress shall be selected by the Members of the House of Representatives on the committee from among their number and the chairman during each odd-numbered Congress shall be selected by the Members of the Senate on the committee from among their number. The vice chairman during each Congress shall be chosen in the same manner from that House of Congress other than the House of Congress of which the chairman is a Member.

###### RULE 7

All meetings and hearings conducted by the committee or its subcommittees shall be open to the public except where the committee or subcommittee, as the case may be, by a majority vote orders an executive session.

###### RULE 8

So far as practicable all witnesses appearing before the committee shall file advance written statements of their proposed testimony, and their oral testimony shall be limited to brief summaries. Brief insertions of additional germane material will be received for the record, subject to the approval of the chairman.

###### RULE 9

An accurate stenographic record shall be kept of all testimony. Brief supplemental materials when required to clarify the transcript may be inserted in the record subject to the approval of the chairman.

###### RULE 10

Each member of the committee shall be provided with a copy of the hearings transcript for the purpose of correcting errors of transcription and grammar, and clarifying questions or remarks.

###### RULE 11

Testimony received in executive hearings shall not be released or included in any report without the approval of a majority of the committee.

###### RULE 12

The chairman shall provide adequate time for questioning of witnesses by all members.



## RULE 13

Television and radio coverage of open hearings of the committee, or any subcommittee, shall be allowed unless a majority of the members of the committee or subcommittee disapprove. Television and radio coverage of any such portion of hearings of the committee, or of a subcommittee, as may include testimony of a witness shall not be authorized if such witness objects to such television or radio coverage: *Provided* that such witness shall be afforded the opportunity to make such objection, if any, to the committee or subcommittee at a time when the proceedings are not being covered by television or radio.

## RULE 14

No committee report shall be made public or transmitted to the Congress without the approval of a majority of the committee except that when the Congress has adjourned, subcommittees may by majority vote and with the express permission of the full committee submit reports to the full committee and simultaneously release same to the public: *Provided*, that any member of the committee may make a report supplementary to or dissenting from the majority report. Factual reports by the committee staff may be printed for distribution to committee members and the public only upon authorization of the chairman of the full committee.

## RULE 15

There shall be kept a complete record of all committee proceedings and action. A clerk of the committee, or a designated member of the committee staff, shall act as recording secretary of all proceedings before the committee and shall prepare and circulate to all members of the committee the minutes of such proceedings. Minutes circulated will be considered approved unless objection is registered prior to the next committee meeting. The records of the committee shall be open to all members of the committee.

## RULE 16

The chairman of the committee, upon consultation and with the recommendation of the vice chairman, shall have the authority—

(1) to appoint, on a permanent basis, without regard to political affiliation and solely on the basis of fitness to perform their duties, not more than six professional staff members and not more than six clerical staff members;

(2) to prescribe their duties and responsibilities

(3) to fix their pay at respective per annum gross rates not in excess of the highest rate of basic pay, as in effect from time to time, of the General Schedule of section 5332(a) of title 5, United States Code; and

(4) to terminate their employment as he shall deem appropriate.

No appointment or salary adjustment shall become effective until approved by a record vote of a majority of the Committee.

## RULE 17

The chairman shall have the authority to utilize the services, information, facilities, and personnel of the departments and establishments of the Government, and to procure the temporary (not to exceed one year) or intermittent services of experts or consultants or organizations thereof by contract at rates of pay not in excess of the per diem equivalent of the highest rate of basic pay set forth in the General Schedule of section 5332 of title 5, United States Code, including payment of such rates for necessary travel time.

## RULE 18

Attendance at Executive Sessions shall be limited to members of the committee, the committee staff and Congressional staff designated by committee members to attend

such sessions. Other persons whose presence is requested or consented to by the committee may be admitted to such sessions. Any individual who is not a member may be excluded by the committee.

## RULE 19

Selection of witnesses for committee hearings shall be made by the committee staff under the direction of the chairman. A list of proposed witnesses shall be submitted to the members of the committee for review sufficiently in advance of the hearings to permit suggestions by the committee members to receive appropriate consideration.

## RULE 20

Proposals for amending committee rules shall be sent to all members at least one week before final action is taken thereon. Approval by at least six members of the committee shall be required to amend these rules.

## RULE 21

The information contained in any books, papers, or documents furnished to the committee by any individual, partnership, corporation, or other legal entity shall, upon the request of the individual, partnership, corporation, or entity furnishing the same, be maintained in strict confidence by the members and staff of the committee, except that any such information may be released outside of executive session of the committee if the release thereof is effected in a manner which will not reveal the identity of such individual, partnership, corporation, or entity: *Provided*, That the committee by majority vote may authorize the disclosure of the identity of any such individual, partnership, corporation, or entity in connection with any pending hearing or as a part of a duly authorized report of the committee if such release is deemed essential to the performance of the functions of the committee and is in the public interest.

(Mr. FITHIAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

[Mr. FITHIAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

### JACK BENNY SHOULD BE HONORED BY A COMMEMORATIVE STAMP

(Mr. McCLODY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. McCLODY. Mr. Speaker, today I am introducing a bill to provide for the issuance of a commemorative stamp in honor of the late Jack Benny.

Mr. Speaker, it strikes me that this great American, who was indeed a national institution, should be appropriately honored by the citizens of our Nation. In this connection, there is general interest in my congressional district in support of such a commemorative postage stamp honoring Jack Benny.

Mr. Speaker, the most populous urban center in my congressional district is Waukegan, Ill. Indeed, Waukegan achieved national recognition as a result of Jack Benny and his appealing good humor and close rapport with citizens of our Nation, young and old, and from all walks of life.

Mr. Speaker, it would be a fitting tribute to this honored citizen to issue a postage stamp in his memory. Accordingly, I

am today introducing a bill for this purpose, a copy of which is attached to these remarks.

A bill to provide for the issuance of a commemorative postage stamp in honor of the late Jack Benny

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Postmaster General is authorized and directed to issue a special postage stamp in honor of the late Jack Benny. Such stamp shall have a denomination of 10 cents, shall bear such design as the Postmaster General shall determine, shall first be placed on sale on a date to be subsequently determined by the Postmaster General at the Main Post Office at Waukegan, Illinois, and shall be sold for such period thereafter as the Postmaster General shall determine.

### PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORT

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a privileged report.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

### PROVIDING FOR CONSIDERATION OF H.R. 2166, TAX REDUCTION ACT OF 1975

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 259 and ask for its immediate consideration.

The Clerk read the resolution as follows:

#### H. Res. 259

*Resolved*, That upon the adoption of this resolution it shall be in order to move, clause 2(1)(6) of rule XI to the contrary notwithstanding, that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2166) to amend the Internal Revenue Code of 1954 to provide for a refund of 1974 individual income taxes, to increase the low-income allowance and the percentage standard deduction, to provide a credit for certain earned income, to increase the investment credit, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and to the amendments made in order by this resolution and shall continue not to exceed four hours, three hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, thirty minutes to be controlled by Representative Green of Pennsylvania, and thirty minutes to be controlled by Representative Charles Wilson of Texas, the bill shall be considered as having been read for amendment. It shall be in order to consider without the intervention of any point of order the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill as an original bill for the purpose of amendment, and said substitute shall be considered as having been read for amendment. No amendment to the bill or to said substitute shall be in order except (1) amendments offered by direction of the Committee on Ways and Means; (2) the text of the bill H.R. 3612 if offered as an amendment in the nature of a substitute for the said commit-